

H.R. 789: Mr. ROHRBACHER and Mr. KASICH.

H.R. 814: Mr. GUTIERREZ and Mrs. MALONEY of New York.

H.R. 857: Mr. BARCIA of Michigan.

H.R. 859: Mr. CHAMBLISS.

H.R. 900: Mr. MOAKLEY.

H.R. 915: Mr. PAYNE, Mr. WEYGAND, Mr. KING of New York, Mr. ADAM SMITH of Washington, and Mrs. JOHNSON of Connecticut.

H.R. 965: Mr. GINGRISH, Mr. ARMEY, and Mr. ROYCE.

H.R. 991: Mr. ADAM SMITH of Washington.

H.R. 1023: Mr. GOODLING and Mr. DUNCAN.

H.R. 1025: Mr. WAXMAN.

H.R. 1031: Mr. SESSIONS.

H.R. 1059: Mr. CALVERT.

H.R. 1061: Mr. LEWIS of Georgia.

H.R. 1114: Ms. KAPTUR, Mr. Cooksey, Mr. THORNBERRY, Mr. LAHOOD, and Mr. TALENT.

H.R. 1151: Mr. CUNNINGHAM.

H.R. 1202: Mr. SMITH of New Jersey, Mr. CLYBURN, Mr. GUTIERREZ, and Mr. FRANKS of New Jersey.

H.R. 1232: Ms. HOOLEY of Oregon, Mr. HINCHEY, and Mr. EVERETT.

H.R. 1234: Mr. JACKSON, and Mr. CUMMINGS.

H.R. 1288: Mr. MALONEY of Connecticut.

H.R. 1362: Mr. SUNUNU.

H.R. 1373: Mr. CUMMINGS.

H.R. 1383: Mr. KUCINICH.

H.R. 1425: Mr. MILLER of California, Mr. SERRANO, Mr. NEAL of Massachusetts, and Ms. KILPATRICK.

H.R. 1526: Mr. SNOWBARGER.

H.R. 1534: Mr. SHUSTER.

H.R. 1714: Mr. LEWIS of Georgia and Mr. DEAL of Georgia.

H.R. 1800: Mr. NUSSLE and Mr. PAXON.

H.R. 1807: Mr. SANDLIN, Mr. FOLEY, Mr. FALEOMAVAEGA, Mrs. LOWEY, Mr. LEWIS of Georgia, and Mr. DAVIS of Illinois.

H.R. 2023: Mr. BONIOR.

H.R. 2067: Mr. ROEMER and Ms. KILPATRICK.

H.R. 2088: Mrs. MCCARTHY of New York.

H.R. 2116: Mrs. ROUKEMA.

H.R. 2340: Mr. SENSENBRENNER.

H.R. 2347: Mr. MARTINEZ and Mr. ROTHMAN.

H.R. 2377: Mr. FAZIO of California, Mr. JOHN, Mr. BLUMENAUER, Mr. GILLMOR, and Mr. BURR of North Carolina.

H.R. 2431: Mr. FRANK of Massachusetts, Mr. CRAPO, Mr. BAKER, Mr. BARCIA of Michigan, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BACHUS, Mr. BOEHLERT, Mr. BUNNING of Kentucky, Mr. BURTON of Indiana, Mr. CANADY of Florida, Mr. COBURN, Mr. COX of California, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mrs. EMERSON, Mr. ETHERIDGE, Mr. EVANS, Mr. FARR of California, Mr. FOLEY, Ms. FURSE, Mr. GOODE, Mr. GOODLING, Mr. HALL of Texas, Mr. HEFLEY, Mr. HOEKSTRA, Mr. HORN, Mr. HUNTER, Mr. INGLIS of South Carolina, Mr. KENNEDY of Rhode Island, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Ms. LOFGREN, Mr. LUCAS of Oklahoma, Mr. MARKEY, Mr. MCINTOSH, Mr. MILLER of Florida, Mr. MILLER of California, Mr. PAPPAS, Mr. REDMOND, Mr. RUSH, Mr. SENSENBRENNER, Ms. SANCHEZ, Mr. SCARBOROUGH, Mr. SCHIFF, Mrs. LINDA SMITH of Washington, Mr. SOLOMON, Mr. SOUDER, Mr. SPENCE, Mr. STARK, Mr. STRICKLAND, Mr. TALENT, Mr. TORRES, Mr. TURNER, Mr. WICKER, Mr. UNDERWOOD, Mr. UPTON, and Mr. YATES.

H.R. 2439: Mr. LoBIONDO, Mr. COBLE, Mr. BARRETT of Wisconsin, Mr. KILDEE, Mr. BARRETT of Nebraska, Mr. WAMP, Mr. MINGE, Mr. BALLENGER, Mr. FRANK of Massachusetts, Mr. PARKER, Mr. GILCHREST, Mr. McHALE, Mr. POSHARD, Mr. SOUDER, Ms. PRYCE of Ohio, and Mr. SHAYS.

H.R. 2454: Mr. UNDERWOOD, Mr. GUTIERREZ, Mr. HILLIARD, Mr. POSHARD, and Mr. BROWN of California.

H.R. 2456: Mr. BARCIA of Michigan, Mr. GOODE, Mr. HALL of Texas, Mr. MORAN of Virginia, Mr. GILLMOR, Mr. SMITH of Oregon, and Mrs. MORELLA.

H.R. 2457: Mr. HILLIARD, Mr. POSHARD, and Mr. BONO of California.

H.R. 2474: Mr. BUNNING of Kentucky and Mr. LAHOOD.

H.R. 2476: Mr. CLEMENT and Mr. FALEOMAVAEGA.

H.R. 2495: Mr. TURNER, Mr. BROWN of Ohio, and Mr. ENGEL.

H.R. 2519: Mr. WEYGAND and Mr. FALEOMAVAEGA.

H.R. 2524: Mr. GORDON.

H.R. 2563: Mr. BUNNING of Kentucky.

H.R. 2568: Mr. MINGE and Mr. MANZULLO.

H.R. 2588: Mr. SHERMAN, Mr. METCALF, Mr. ORTIZ, and Mr. CAPPS.

H.R. 2597: Ms. LOFGREN and Ms. VELAZQUEZ.

H.R. 2602: Ms. LOFGREN and Mr. MANTON.

H.R. 2604: Mr. BARTLETT of Maryland, Mr. HOBSON, Mr. PARKER, Mr. ABERCROMBIE, Mr. HEFNER, Mr. CALLAHAN, Mr. FARR of California, Mr. GILCHREST, Mr. McDADE, and Mr. EVERETT.

H.R. 2616: Mr. ROEMER.

H.R. 2631: Mr. HILL, Mrs. FOWLER, Mr. COOK, Mr. McHUGH, Mr. TIAHRT, Mr. LEWIS of Kentucky, Mr. MCINTYRE, Mr. BATEMAN, and Mr. WHITFIELD.

H.J. Res. 89: Mr. SKAGGS, Mr. OLVER, and Mr. SAWYER.

H. Con. Res. 19: Ms. FURSE.

H. Con. Res. 65: Mr. GILLMOR and Ms. DEGETTE.

H. Con. Res. 80: Mr. WISE, Mr. COBURN, Mr. BURTON of Indiana, Mr. HULSHOF, and Mr. GOODLING.

H. Con. Res. 107: Mr. KUCINICH, Ms. LOFGREN, Mr. OBEY, and Mr. HOLDEN.

H. Con. Res. 130: Mr. ROYCE, Mr. MENENDEZ, and Mr. PAYNE.

H. Con. Res. 153: Mr. LAZIO of New York.

H. Res. 111: Mr. PETERSON of Minnesota.

H. Res. 235: Ms. HARMAN, Mr. LAMPSON, Mr. CHAMBLISS, Mr. OBERSTAR, and Mr. MEEHAN.

## ¶115.32 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1031: Ms. CHRISTIAN-GREEN.

## THURSDAY, OCTOBER 9, 1997 (116)

### ¶116.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. LATOURETTE, who laid before the House the following communication:

WASHINGTON, DC,

October 9, 1997.

I hereby designate the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

### ¶116.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of the proceedings of Wednesday, October 8, 1997.

Mr. DREIER, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. DREIER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

### ¶116.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

5420. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Standards for Approval of Cold Storage Warehouses for Peanuts (RIN: 0560-AF04) received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5421. A letter from the Acting General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—HUD Disaster Recovery Initiative [Docket No. FR-4254-N-01] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5422. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans of New Source Review (NSR) Implementation Plan Addressing NSR in Non-attainment Areas; Louisiana; Louisiana Administrative Code (LAC), Title 33, Environmental Quality, Part III, Air, Chapter 5, Permit Procedures, Section 504, Nonattainment NSR Procedures [LA-14-1-7239; FRL-5905-7] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5423. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—California State Implementation Plan Revision; Interim Final Determination That State Has Corrected Deficiencies [CA 198-0056; FRL-5907-2] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5424. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plan; Minnesota; Evidentiary Rule [MN40-03-6988; FRL-5906-3] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5425. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Standards of Performance for New Stationary Sources and National Emission Standards for Hazardous Air Pollutants: Approval of Delegation of Authority to New Mexico [FRL-5904-8] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5426. A letter from the AMD—Performance Evaluation and Records Management, Federal Communication Commission, transmitting the Commission's final rule—Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System [FO Docket 91-301, FO Docket 91-171] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5427. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 98-07), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5428. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Turkey for defense articles and services (Transmittal No. 98-06), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5429. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 98-05), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

5430. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for New Jersey [Docket No. 961210346-7035-02; I.D. 100197A] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5431. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal from Federal Regulations of Nineteen Acute Aquatic Life Water Quality Criteria Applicable to Alaska [FRL-5903-7] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5432. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revocation of the Polychlorinated Biphenyl Human Health Criteria in the Water Quality Guidance for the Great Lakes System [FRL-5907-4] (RIN: 2040-AC08) received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5433. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal From Federal Regulations of Arsenic Human Health Water Quality Criteria Applicable to Idaho [FRL-5903-4] received October 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5434. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit or abatement; determination of correct tax liability [Rev. Proc. 97-48] received October 8, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶116.4 PROVIDING FOR THE CONSIDERATION OF H.R. 2607

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 264):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropria-

tions. After general debate the bill shall be considered for amendment under the five-minute rule and shall be considered as read. The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived. No further amendment shall be in order except those printed in part 2 of the report of the Committee on Rules. Each further amendment may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. DREIER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. DREIER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

#### ¶116.5 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2169

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 263):

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2169) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. LINDER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 413  
Nays ..... 4

#### ¶116.6

[Roll No. 507]

#### YEAS—413

|              |               |               |
|--------------|---------------|---------------|
| Ackerman     | Cox           | Graham        |
| Aderholt     | Coyne         | Green         |
| Allen        | Cramer        | Greenwood     |
| Andrews      | Crane         | Gutierrez     |
| Archer       | Crapo         | Gutknecht     |
| Armey        | Cubin         | Hall (OH)     |
| Bachus       | Cummings      | Hall (TX)     |
| Baessler     | Cunningham    | Hamilton      |
| Baker        | Danner        | Hansen        |
| Baldacci     | Davis (FL)    | Harman        |
| Ballenger    | Davis (IL)    | Hastert       |
| Barr         | Davis (VA)    | Hastings (FL) |
| Barrett (NE) | Deal          | Hastings (WA) |
| Barrett (WI) | DeFazio       | Hayworth      |
| Bartlett     | DeGette       | Hefley        |
| Bass         | Delahunt      | Hefner        |
| Bateman      | DeLauro       | Herger        |
| Becerra      | DeLay         | Hill          |
| Bentsen      | Dellums       | Hilleary      |
| Bereuter     | Deutsch       | Hinchey       |
| Berman       | Diaz-Balart   | Hinojosa      |
| Berry        | Dickey        | Hobson        |
| Bilbray      | Dicks         | Hoekstra      |
| Bilirakis    | Dixon         | Holden        |
| Bishop       | Doggett       | Hooley        |
| Blagojevich  | Dooley        | Horn          |
| Bliley       | Doolittle     | Hostettler    |
| Blumenauer   | Doyle         | Houghton      |
| Blunt        | Dreier        | Hoyer         |
| Boehlert     | Duncan        | Hulshof       |
| Boehner      | Dunn          | Hunter        |
| Bonilla      | Edwards       | Hutchinson    |
| Bonior       | Ehlers        | Hyde          |
| Bono         | Ehrlich       | Inglis        |
| Borski       | Emerson       | Istook        |
| Boswell      | Engel         | Jackson (IL)  |
| Boucher      | English       | Jackson-Lee   |
| Boyd         | Ensign        | (TX)          |
| Brady        | Eshoo         | Jefferson     |
| Brown (CA)   | Etheridge     | Jenkins       |
| Brown (OH)   | Evans         | John          |
| Bryant       | Everett       | Johnson (CT)  |
| Bunning      | Ewing         | Johnson (WI)  |
| Burr         | Farr          | Johnson, E.B. |
| Burton       | Fattah        | Johnson, Sam  |
| Buyer        | Fawell        | Jones         |
| Callahan     | Fazio         | Kanjorski     |
| Calvert      | Filner        | Kaptur        |
| Camp         | Flake         | Kasich        |
| Campbell     | Foley         | Kelly         |
| Canady       | Forbes        | Kennedy (MA)  |
| Cannon       | Ford          | Kennedy (RI)  |
| Capps        | Fowler        | Kennelly      |
| Cardin       | Fox           | Kildee        |
| Carson       | Frank (MA)    | Kilpatrick    |
| Castle       | Franks (NJ)   | Kim           |
| Chabot       | Frelinghuysen | Kind (WI)     |
| Chenoweth    | Furse         | King (NY)     |
| Christensen  | Gallely       | Kingston      |
| Clay         | Ganske        | Klecza        |
| Clayton      | Gejdenson     | Klink         |
| Clement      | Gekas         | Klug          |
| Clyburn      | Gephardt      | Knollenberg   |
| Coble        | Gibbons       | Kolbe         |
| Coburn       | Gilchrest     | Kucinich      |
| Collins      | Gillmor       | LaFalce       |
| Combest      | Gilman        | LaHood        |
| Condit       | Goode         | Lampson       |
| Conyers      | Goodlatte     | Lantos        |
| Cook         | Goodling      | Largent       |
| Cooksey      | Gordon        | Latham        |
| Costello     | Goss          | LaTourette    |

|               |               |              |
|---------------|---------------|--------------|
| Lazio         | Parker        | Skeen        |
| Leach         | Pascarell     | Skelton      |
| Levin         | Pastor        | Slaughter    |
| Lewis (CA)    | Paul          | Smith (MI)   |
| Lewis (GA)    | Paxon         | Smith (NJ)   |
| Linder        | Payne         | Smith (OR)   |
| Lipinski      | Pease         | Smith (TX)   |
| Livingston    | Pelosi        | Smith, Adam  |
| LoBiondo      | Peterson (MN) | Smith, Linda |
| Lofgren       | Peterson (PA) | Snowbarger   |
| Lowey         | Petri         | Snyder       |
| Lucas         | Pickering     | Solomon      |
| Luther        | Pickett       | Souder       |
| Maloney (CT)  | Pitts         | Spence       |
| Maloney (NY)  | Pombo         | Spratt       |
| Manton        | Pomeroy       | Stabenow     |
| Manzullo      | Porter        | Stark        |
| Markey        | Portman       | Stearns      |
| Martinez      | Poshard       | Stenholm     |
| Mascara       | Price (NC)    | Stokes       |
| Matsui        | Pryce (OH)    | Strickland   |
| McCarthy (MO) | Quinn         | Stump        |
| McCarthy (NY) | Radanovich    | Stupak       |
| McCollum      | Rahall        | Sununu       |
| McCrery       | Ramstad       | Talent       |
| McDade        | Rangel        | Tauscher     |
| McDermott     | Redmond       | Tauzin       |
| McGovern      | Regula        | Taylor (MS)  |
| McHale        | Reyes         | Taylor (NC)  |
| McHugh        | Riggs         | Thomas       |
| McInnis       | Riley         | Thompson     |
| McIntosh      | Rivers        | Thornberry   |
| McIntyre      | Rodriguez     | Thune        |
| McKeon        | Roemer        | Thurman      |
| McKinney      | Rogan         | Tiaht        |
| McNulty       | Rogers        | Tierney      |
| Meehan        | Rohrabacher   | Torres       |
| Meek          | Ros-Lehtinen  | Towns        |
| Menendez      | Rothman       | Trafficant   |
| Metcalf       | Roukema       | Turner       |
| Mica          | Roybal-Allard | Upton        |
| Millender-    | Royce         | Velazquez    |
| McDonald      | Rush          | Vento        |
| Miller (FL)   | Ryun          | Visclosky    |
| Minge         | Sabo          | Walsh        |
| Mink          | Salmon        | Wamp         |
| Moakley       | Sanchez       | Waters       |
| Mollohan      | Sanders       | Watkins      |
| Moran (KS)    | Sandlin       | Watt (NC)    |
| Moran (VA)    | Sanford       | Watts (OK)   |
| Morella       | Sawyer        | Waxman       |
| Myrick        | Scarborough   | Weldon (FL)  |
| Nadler        | Schaefer, Dan | Weldon (PA)  |
| Neal          | Schaffer, Bob | Weller       |
| Nethercutt    | Schumer       | Wexler       |
| Neumann       | Scott         | Weygand      |
| Ney           | Sensenbrenner | White        |
| Northup       | Serrano       | Whitfield    |
| Norwood       | Sessions      | Wicker       |
| Nussle        | Shadegg       | Wise         |
| Obey          | Shaw          | Wolf         |
| Olver         | Shays         | Woolsey      |
| Ortiz         | Sherman       | Wynn         |
| Owens         | Shimkus       | Yates        |
| Packard       | Shuster       | Young (FL)   |
| Pallone       | Sisisky       |              |
| Pappas        | Skaggs        |              |

## NAYS—4

|        |          |
|--------|----------|
| Barcia | Granger  |
| Frost  | Oberstar |

## NOT VOTING—16

|             |             |            |
|-------------|-------------|------------|
| Abercrombie | Gonzalez    | Saxton     |
| Barton      | Hilliard    | Schiff     |
| Brown (FL)  | Lewis (KY)  | Tanner     |
| Chambliss   | Miller (CA) | Young (AK) |
| Dingell     | Murtha      |            |
| Foglietta   | Oxley       |            |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶116.7 H. RES. 264—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 264) providing for consideration of the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said

District for the fiscal year ending September 30, 1998, and for other purposes.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. SOLOMON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 370  
affirmative ..... { Nays ..... 50

¶116.8 [Roll No. 508]  
YEAS—370

|              |               |                |
|--------------|---------------|----------------|
| Ackerman     | Cummings      | Hill           |
| Aderholt     | Cunningham    | Hilleary       |
| Allen        | Danner        | Hinojosa       |
| Archer       | Davis (FL)    | Hobson         |
| Army         | Davis (IL)    | Hoekstra       |
| Bachus       | Davis (VA)    | Holden         |
| Baker        | Deal          | Hooley         |
| Baldacci     | DeFazio       | Hostettler     |
| Ballenger    | DeLauro       | Houghton       |
| Barcia       | DeLay         | Hulshof        |
| Barr         | Dellums       | Hunter         |
| Barrett (NE) | Diaz-Balart   | Hutchinson     |
| Barrett (WI) | Dickey        | Hyde           |
| Bartlett     | Dicks         | Inglis         |
| Barton       | Doggett       | Istook         |
| Bass         | Dooley        | Jackson (IL)   |
| Bateman      | Doolittle     | Jenkins        |
| Becerra      | Doyle         | John           |
| Bereuter     | Dreier        | Johnson (CT)   |
| Berman       | Duncan        | Johnson (WI)   |
| Berry        | Dunn          | Johnson, E. B. |
| Bilbray      | Edwards       | Johnson, Sam   |
| Bilirakis    | Ehlers        | Jones          |
| Bishop       | Ehrlich       | Kanjorski      |
| Blagojevich  | Emerson       | Kaptur         |
| Bliley       | Engel         | Kasich         |
| Blumenauer   | English       | Kelly          |
| Blunt        | Ensign        | Kennelly       |
| Boehlert     | Eshoo         | Kildee         |
| Boehner      | Etheridge     | Kim            |
| Bonilla      | Evans         | Kind (WI)      |
| Bono         | Everett       | King (NY)      |
| Borski       | Ewing         | Kingston       |
| Boswell      | Farr          | Klecza         |
| Boucher      | Fattah        | Klink          |
| Boyd         | Fawell        | Klug           |
| Brady        | Flake         | Knollenberg    |
| Brown (CA)   | Foglietta     | Kolbe          |
| Brown (OH)   | Foley         | LaFalce        |
| Bryant       | Forbes        | LaHood         |
| Bunning      | Fowler        | Lampson        |
| Burr         | Fox           | Lantos         |
| Burton       | Franks (NJ)   | Largent        |
| Buyer        | Frelinghuysen | Latham         |
| Callahan     | Frost         | LaTourette     |
| Calvert      | Furse         | Lazio          |
| Camp         | Gallely       | Leach          |
| Campbell     | Ganske        | Levin          |
| Canady       | Gejdenson     | Lewis (CA)     |
| Cannon       | Gekas         | Linder         |
| Capps        | Gibbons       | Lipinski       |
| Cardin       | Gilchrest     | Livingston     |
| Carson       | Gillmor       | LoBiondo       |
| Castle       | Gilman        | Lofgren        |
| Chabot       | Goodlatte     | Lowey          |
| Chenoweth    | Goodling      | Lucas          |
| Christensen  | Gordon        | Luther         |
| Clay         | Goss          | Maloney (CT)   |
| Clement      | Graham        | Maloney (NY)   |
| Clyburn      | Granger       | Manton         |
| Coble        | Greenwood     | Manzullo       |
| Coburn       | Gutierrez     | Martinez       |
| Collins      | Gutknecht     | Mascara        |
| Combest      | Hall (OH)     | Matsui         |
| Condit       | Hall (TX)     | McCarthy (MO)  |
| Cook         | Hamilton      | McCarthy (NY)  |
| Cooksey      | Hansen        | McCollum       |
| Costello     | Harman        | McCrery        |
| Cox          | Hastert       | McDade         |
| Coyne        | Hastings (WA) | McDermott      |
| Cramer       | Hayworth      | McHale         |
| Crane        | Hefley        | McHugh         |
| Crapo        | Hefner        | McInnis        |
| Cubin        | Herger        | McIntosh       |

|               |               |             |
|---------------|---------------|-------------|
| McIntyre      | Pryce (OH)    | Snowbarger  |
| McKeon        | Quinn         | Snyder      |
| McNulty       | Radanovich    | Solomon     |
| Menendez      | Rahall        | Souder      |
| Metcalf       | Ramstad       | Spence      |
| Mica          | Redmond       | Spratt      |
| Millender-    | Regula        | Stabenow    |
| McDonald      | Reyes         | Stearns     |
| Miller (FL)   | Riggs         | Stenholm    |
| Minge         | Riley         | Strickland  |
| Moakley       | Rodriguez     | Stump       |
| Mollohan      | Roemer        | Stupak      |
| Moran (KS)    | Rogan         | Sununu      |
| Moran (VA)    | Rogers        | Talent      |
| Morella       | Rohrabacher   | Tauscher    |
| Myrick        | Ros-Lehtinen  | Tauzin      |
| Nadler        | Roukema       | Taylor (NC) |
| Neal          | Roybal-Allard | Thomas      |
| Nethercutt    | Royce         | Thompson    |
| Neumann       | Rush          | Thornberry  |
| Ney           | Ryun          | Thune       |
| Northup       | Sabo          | Thurman     |
| Norwood       | Salmon        | Tiaht       |
| Nussle        | Sanchez       | Torres      |
| Oberstar      | Sanders       | Towns       |
| Obey          | Sandlin       | Trafficant  |
| Ortiz         | Sanford       | Turner      |
| Oxley         | Sawyer        | Upton       |
| Packard       | Scarborough   | Velazquez   |
| Pallone       | Schaefer, Dan | Visclosky   |
| Pappas        | Schaffer, Bob | Walsh       |
| Parker        | Schumer       | Wamp        |
| Pascarell     | Sensenbrenner | Watkins     |
| Pastor        | Serrano       | Watt (NC)   |
| Paul          | Sessions      | Watts (OK)  |
| Paxon         | Shadegg       | Waxman      |
| Pease         | Shaw          | Weldon (FL) |
| Pelosi        | Shays         | Weldon (PA) |
| Peterson (MN) | Shimkus       | Weller      |
| Peterson (PA) | Shuster       | Weygand     |
| Petri         | Sisisky       | White       |
| Pickering     | Skaggs        | Whitfield   |
| Pickett       | Skeen         | Wicker      |
| Pitts         | Skelton       | Wise        |
| Pombo         | Smith (MI)    | Wolf        |
| Pomeroy       | Smith (NJ)    | Woolsey     |
| Porter        | Smith (OR)    | Wynn        |
| Portman       | Smith (TX)    | Yates       |
| Poshard       | Smith, Adam   | Young (FL)  |
| Price (NC)    | Smith, Linda  |             |

## NAYS—50

|            |               |             |
|------------|---------------|-------------|
| Andrews    | Hastings (FL) | Mink        |
| Baessler   | Hinchey       | Olver       |
| Bentsen    | Horn          | Owens       |
| Bonior     | Hoyer         | Payne       |
| Clayton    | Jackson-Lee   | Rangel      |
| Conyers    | (TX)          | Rivers      |
| DeGette    | Jefferson     | Rothman     |
| Delahunt   | Kennedy (MA)  | Scott       |
| Deutsch    | Kennedy (RI)  | Sherman     |
| Dixon      | Kilpatrick    | Slaughter   |
| Fazio      | Kucinich      | Stark       |
| Finler     | Lewis (GA)    | Stokes      |
| Ford       | Markey        | Taylor (MS) |
| Frank (MA) | McGovern      | Tierney     |
| Gephardt   | McKinney      | Vento       |
| Goode      | Meehan        | Waters      |
| Green      | Meek          | Wexler      |

## NOT VOTING—13

|             |             |            |
|-------------|-------------|------------|
| Abercrombie | Hilliard    | Schiff     |
| Brown (FL)  | Lewis (KY)  | Tanner     |
| Chambliss   | Miller (CA) | Young (AK) |
| Dingell     | Murtha      |            |
| Gonzalez    | Saxton      |            |

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶116.9 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, pursuant to clause 5, rule I, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, October 8, 1997.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that the yeas had it.

Mr. PAPPAS demanded a recorded vote on agreeing to Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 352  
affirmative ..... { Nays ..... 58

¶116.10

[Roll No. 509]

AYES—352

|              |               |               |
|--------------|---------------|---------------|
| Ackerman     | DeLauro       | Johnson, E.B. |
| Aderholt     | DeLay         | Johnson, Sam  |
| Allen        | Dellums       | Jones         |
| Andrews      | Diaz-Balart   | Kanjorski     |
| Archer       | Dickey        | Kaptur        |
| Armey        | Dicks         | Kasich        |
| Bachus       | Dixon         | Kelly         |
| Baesler      | Doggett       | Kennedy (MA)  |
| Baker        | Dooley        | Kennedy (RI)  |
| Baldacci     | Doolittle     | Kennelly      |
| Ballenger    | Doyle         | Kildee        |
| Barcia       | Dreier        | Kim           |
| Barr         | Duncan        | Kind (WI)     |
| Barrett (NE) | Dunn          | King (NY)     |
| Barrett (WI) | Edwards       | Kingston      |
| Bartlett     | Ehlers        | Klecza        |
| Barton       | Ehrlich       | Klink         |
| Bass         | Emerson       | Klug          |
| Bateman      | Engel         | Knollenberg   |
| Bentsen      | Eshoo         | Kolbe         |
| Bereuter     | Etheridge     | LaFalce       |
| Berman       | Ewing         | LaHood        |
| Berry        | Farr          | Lampson       |
| Bilbray      | Fattah        | Lantos        |
| Billirakis   | Flake         | Largent       |
| Bishop       | Foley         | Latham        |
| Blagojevich  | Forbes        | LaTourette    |
| Bliley       | Ford          | Lazio         |
| Blumenauer   | Fowler        | Leach         |
| Blunt        | Frank (MA)    | Levin         |
| Boehlert     | Franks (NJ)   | Lewis (CA)    |
| Boehner      | Frelinghuysen | Linder        |
| Bonilla      | Frost         | Lipinski      |
| Bono         | Furse         | Livingston    |
| Boswell      | Galleghy      | Lofgren       |
| Boucher      | Ganske        | Lowey         |
| Boyd         | Gejdenson     | Lucas         |
| Brady        | Gekas         | Luther        |
| Brown (OH)   | Gilchrest     | Maloney (CT)  |
| Bryant       | Gillmor       | Maloney (NY)  |
| Bunning      | Gilman        | Manton        |
| Burton       | Goode         | Markey        |
| Buyer        | Goodlatte     | Martinez      |
| Callahan     | Goodling      | Mascara       |
| Calvert      | Gordon        | Matsui        |
| Camp         | Goss          | McCarthy (MO) |
| Campbell     | Graham        | McCarthy (NY) |
| Canady       | Granger       | McColum       |
| Cannon       | Green         | McCreery      |
| Capps        | Greenwood     | McDade        |
| Cardin       | Hall (OH)     | McHale        |
| Carson       | Hall (TX)     | McHugh        |
| Castle       | Hamilton      | McInnis       |
| Chabot       | Hansen        | McIntosh      |
| Chenoweth    | Harman        | McIntyre      |
| Christensen  | Hastert       | McKinney      |
| Clayton      | Hastings (WA) | Meehan        |
| Clement      | Hayworth      | Metcalf       |
| Coble        | Hefner        | Mica          |
| Coburn       | Herger        | Millender-    |
| Collins      | Hinojosa      | McDonald      |
| Combest      | Hobson        | Miller (FL)   |
| Condit       | Hoekstra      | Minge         |
| Conyers      | Holden        | Mink          |
| Cook         | Hooley        | Moakley       |
| Cooksey      | Horn          | Mollohan      |
| Cox          | Hostettler    | Moran (KS)    |
| Coyne        | Houghton      | Moran (VA)    |
| Cramer       | Hoyer         | Morella       |
| Crane        | Hutchinson    | Myrick        |
| Crapo        | Hyde          | Nadler        |
| Cubin        | Inglis        | Neal          |
| Cummings     | Istook        | Nethercutt    |
| Cunningham   | Jackson (IL)  | Neumann       |
| Danner       | Jackson-Lee   | Ney           |
| Davis (FL)   | (TX)          | Northup       |
| Davis (IL)   | Jefferson     | Northwood     |
| Davis (VA)   | Jenkins       | Nussle        |
| Deal         | John          | Obey          |
| DeGette      | Johnson (CT)  | Olver         |
| Delahunt     | Johnson (WI)  | Ortiz         |

|               |               |
|---------------|---------------|
| Owens         | Royce         |
| Oxley         | Rush          |
| Packard       | Ryun          |
| Pappas        | Sanchez       |
| Parker        | Sanders       |
| Paul          | Sandlin       |
| Paxon         | Sanford       |
| Pease         | Sawyer        |
| Pelosi        | Scarborough   |
| Peterson (MN) | Schaefer, Dan |
| Peterson (PA) | Schumer       |
| Petri         | Sensenbrenner |
| Pickering     | Serrano       |
| Pitts         | Shadegg       |
| Pomeroy       | Shaw          |
| Porter        | Shays         |
| Portman       | Sherman       |
| Price (NC)    | Shinkus       |
| Pryce (OH)    | Shuster       |
| Quinn         | Sisisky       |
| Radanovich    | Skaggs        |
| Rahall        | Skeen         |
| Redmond       | Skelton       |
| Regula        | Slaughter     |
| Reyes         | Smith (MI)    |
| Riggs         | Smith (NJ)    |
| Riley         | Smith (OR)    |
| Rivers        | Smith (TX)    |
| Rodriguez     | Smith, Adam   |
| Roemer        | Smith, Linda  |
| Rogan         | Snowbarger    |
| Rogers        | Snyder        |
| Rohrabacher   | Solomon       |
| Ros-Lehtinen  | Souder        |
| Rothman       | Spence        |
| Roukema       | Spratt        |
| Roybal-Allard | Stabenow      |

NOES—58

|               |            |               |
|---------------|------------|---------------|
| Becerra       | Hefley     | Pombo         |
| Borski        | Hill       | Poshard       |
| Brown (CA)    | Hilleary   | Ramstad       |
| Clay          | Hinchev    | Rangel        |
| Clyburn       | Hulshof    | Sabo          |
| Costello      | Kilpatrick | Salmon        |
| DeFazio       | Kucinich   | Schaffer, Bob |
| Deutsch       | Lewis (GA) | Scott         |
| English       | LoBiondo   | Sessions      |
| Ensign        | McDermott  | Stokes        |
| Evans         | McGovern   | Stupak        |
| Everett       | McNulty    | Taylor (MS)   |
| Fazio         | Meek       | Thompson      |
| Filner        | Menendez   | Towns         |
| Foglietta     | Oberstar   | Visclosky     |
| Fox           | Pallone    | Weller        |
| Gibbons       | Pascrell   | Wexler        |
| Gutierrez     | Pastor     | Wicker        |
| Gutknecht     | Payne      |               |
| Hastings (FL) | Pickett    |               |

NOT VOTING—23

|             |             |            |
|-------------|-------------|------------|
| Abercrombie | Gonzalez    | Saxton     |
| Bonior      | Hilliard    | Schiff     |
| Brown (FL)  | Hunter      | Tanner     |
| Burr        | Lewis (KY)  | Tiahrt     |
| Chambliss   | Manzullo    | Waters     |
| Dingell     | McKeon      | Watt (NC)  |
| Fawell      | Miller (CA) | Young (AK) |
| Gephardt    | Murtha      |            |

So the Journal was approved.

¶116.11 PROVIDING FOR THE  
CONSIDERATION OF H.R. 2204

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 105-317) the resolution (H. Res. 265) providing for the consideration of the bill (H.R. 2204) to authorize appropriations for fiscal year 1998 and 1999 for the Coast Guard, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶116.12 TRANSPORTATION  
APPROPRIATIONS

Mr. WOLF, pursuant to House Resolution 263, called up the following conference report (Rept. No. 105-313):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2169) "making appropriations for the Depart-

ment of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes, namely:*

## TITLE I

DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, \$61,000,000, of which not to exceed \$40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided*, That notwithstanding any other provision of law, there may be credited to this appropriation up to \$1,000,000 in funds received in user fees: *Provided further*, That none of the funds appropriated in this Act or otherwise made available may be used to maintain custody of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; and open to inspection by the Department.

## OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, \$5,574,000.

TRANSPORTATION PLANNING, RESEARCH, AND  
DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, \$4,400,000.

TRANSPORTATION ADMINISTRATIVE SERVICE  
CENTER

Necessary expenses for operating costs and capital outlays of the Transportation Administrative Service Center, not to exceed \$121,800,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Transportation Administrative Service Center without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

## PAYMENTS TO AIR CARRIERS

## (RESCISSION OF CONTRACT AUTHORIZATION)

## (AIRPORT AND AIRWAY TRUST FUND)

Of the budgetary resources provided for "Small Community Air Service" by Public Law 101-508, for fiscal year 1998, \$38,600,000 are rescinded.

MINORITY BUSINESS RESOURCE CENTER  
PROGRAM

For the cost of direct loans, \$1,500,000, as authorized by 49 U.S.C. 332: *Provided*, That

such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$15,000,000. In addition, for administrative expenses to carry out the direct loan program, \$400,000.

#### MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, \$2,900,000, of which \$2,635,000 shall remain available until September 30, 1999: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

#### COAST GUARD

##### OPERATING EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; \$2,715,400,000, of which \$300,000,000 shall be available for defense-related activities and \$25,000,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That the number of aircraft on hand at any one time shall not exceed two hundred and twelve, exclusive of aircraft and parts stored to meet future attrition: *Provided further*, That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further*, That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839: *Provided further*, That \$34,300,000 of the funds provided under this heading for increased drug interdiction activities are not available for obligation until the Director, Office of National Drug Control Policy: (1) reviews the specific activities and associated costs and benefits proposed by the Coast Guard; (2) compares those activities to other drug interdiction efforts government-wide; and (3) certifies, in writing, to the House and Senate Committees on Appropriations that such expenditures represent the best investment relative to other options: *Provided further*, That should the Director, Office of National Drug Control Policy decline to make such certification, after notification in writing to the House and Senate Committees on Appropriations, the Director may transfer, at his discretion, up to \$34,300,000 of funds provided herein for Coast Guard drug interdiction activities to any other entity of the Federal Government for drug interdiction activities: *Provided further*, That up to \$615,000 in user fees collected pursuant to section 1111 of Public Law 104-324 shall be credited to this appropriation as offsetting collections in fiscal year 1998.

#### ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, \$397,850,000, of which \$20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which \$212,100,000 shall be available to acquire, repair, renovate or improve ves-

sels, small boats and related equipment, to remain available until September 30, 2002; \$25,800,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2000; \$44,650,000 shall be available for other equipment, to remain available until September 30, 2000; \$68,300,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2000; and \$47,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1999: *Provided*, That funds received from the sale of HU-25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further*, That the Commandant may dispose of surplus real property by sale or lease and the proceeds shall be credited to this appropriation, of which not more than \$9,000,000 shall be credited as offsetting collections to this account, to be available for the purposes of this account: *Provided further*, That the amount herein appropriated from the General Fund shall be reduced by such amount: *Provided further*, That any proceeds from the sale or lease of Coast Guard surplus real property in excess of \$9,000,000 shall be retained and remain available until expended, but shall not be available for obligation until October 1, 1998: *Provided further*, That the Secretary, acting through the Commandant, may enter into a long-term Use Agreement with the City of Unalaska for dedicated pier space on the municipal dock necessary to support Coast Guard enforcement vessels when such vessels call on the Port of Dutch Harbor, Alaska.

#### ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, \$21,000,000, to remain available until expended.

#### ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, \$17,000,000, to remain available until expended.

#### RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55); \$653,196,000.

#### RESERVE TRAINING

##### (INCLUDING TRANSFER OF FUNDS)

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; \$67,000,000: *Provided*, That no more than \$20,000,000 of funds made available under this heading may be transferred to Coast Guard "Operating expenses" or otherwise made available to reimburse the Coast Guard for financial support of the Coast Guard Reserve.

#### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, \$19,000,000, to remain available until expended, of which \$3,500,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided*, That there may be credited to this appropriation funds received from State and local governments, other public authorities,

private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

#### BOAT SAFETY

##### (AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92-75, as amended, \$35,000,000, to be derived from the Boat Safety Account and to remain available until expended.

#### FEDERAL AVIATION ADMINISTRATION OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of subchapter I of chapter 471 of title 49, United States Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104-264, \$5,301,934,000, of which \$1,901,628,000 shall be derived from the Airport and Airway Trust Fund: *Provided*, That none of the funds in this Act shall be available for the Federal Aviation Administration to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That funds may be used to enter into a grant agreement with a non-profit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds derived from the Airport and Airway Trust Fund may be used to support the operations and activities of the Associate Administrator for Commercial Space Transportation: *Provided further*, That up to \$5,000 of funds appropriated under this heading may be used for activities under the Aircraft Purchase Loan Guarantee Program.

#### FACILITIES AND EQUIPMENT

##### (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineer-

ing and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, \$1,875,477,000, of which \$1,656,367,000 shall remain available until September 30, 2000, and of which \$219,110,000 shall remain available until September 30, 1998: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

RESEARCH, ENGINEERING, AND DEVELOPMENT  
(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, \$199,183,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2000: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development: *Provided further*, That none of the funds in this Act may be obligated or expended for the "Flight 2000" Program.

GRANTS-IN-AID FOR AIRPORTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations, \$1,600,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$1,700,000,000 in fiscal year 1998 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code: *Provided further*, That discretionary funds available for noise planning and mitigation shall not exceed \$200,000,000 and discretionary funds available for the military airport program shall not exceed \$26,000,000.

GRANTS-IN-AID FOR AIRPORTS  
(AIRPORT AND AIRWAY TRUST FUND)  
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103 as amended, \$412,000,000 are rescinded.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, United States Code.

AIRCRAFT PURCHASE LOAN GUARANTEE  
PROGRAM

Except as specifically provided elsewhere in this Act, none of the funds in this Act shall be available for activities under this heading during fiscal year 1998.

FEDERAL HIGHWAY ADMINISTRATION  
LIMITATION ON GENERAL OPERATING  
EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed \$552,266,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided*, That \$241,708,000 of the amount provided herein shall remain available until September 30, 2000.

APPALACHIAN DEVELOPMENT HIGHWAY  
SYSTEM

For carrying out the provisions of section 1069(y) of Public Law 102-240, relating to construction of, and improvements to, corridors of the Appalachian Development Highway System, \$300,000,000 to remain available until expended: *Provided*, That none of the funds provided under this heading shall be available for engineering, design, right-of-way acquisition, or major construction of the Appalachian development highway system between I-81 in Virginia and the community of Wardsville, West Virginia.

FEDERAL-AID HIGHWAYS  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$21,500,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1998.

FEDERAL-AID HIGHWAYS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, \$20,800,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND  
(LIMITATION ON DIRECT LOANS)  
(HIGHWAY TRUST FUND)

None of the funds under this head are available for obligations for right-of-way acquisition during fiscal year 1998.

MOTOR CARRIER SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, \$85,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$84,825,000 for "Motor Carrier Safety Grants".

NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION  
OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under part C of

subtitle VI of title 49, United States Code, and chapter 301 of title 49, United States Code, \$74,901,000, of which \$40,674,000 shall remain available until September 30, 2000: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH  
(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240), to be derived from the Highway Trust Fund, \$72,061,000, of which \$49,520,000 shall remain available until September 30, 2000.

HIGHWAY TRAFFIC SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and 410, and chapter 303 of title 49, United States Code, to remain available until expended, \$186,000,000, to be derived from the Highway Trust Fund: *Provided*, That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1998, are in excess of \$186,500,000 for programs authorized under 23 U.S.C. 402, 410, and chapter 303 of title 49, U.S.C., of which \$149,700,000 shall be for "State and community highway safety grants", \$2,300,000 shall be for the "National Driver Register", and \$34,500,000 shall be for section 410 "Alcohol-impaired driving counter-measures programs": *Provided further*, That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further*, That not to exceed \$5,268,000 of the funds made available for section 402 may be available for administering "State and community highway safety grants": *Provided further*, That not to exceed \$150,000 of the funds made available for section 402 may be available for administering the highway safety grants authorized by section 1003(a)(7) of Public Law 102-240: *Provided further*, That not to exceed \$500,000 of the funds made available for section 410 "Alcohol-impaired driving counter-measures programs" shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION  
OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, \$20,290,000, of which \$1,389,000 shall remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further*, That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make pay-

ments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further*, That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation.

#### RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, \$57,067,000, of which \$5,511,000 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading are available for the reimbursement of out-of-state travel and per diem costs incurred by employees of State governments directly supporting the Federal railroad safety program, including regulatory development and compliance-related activities.

#### RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, \$20,758,000, to remain available until expended.

#### NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et seq.) and 49 U.S.C. 24909, \$250,000,000, to remain available until September 30, 2000, of which \$12,000,000 shall be for the Pennsylvania Station Redevelopment Project.

#### RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94-210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That no new loan guarantee commitments shall be made during fiscal year 1998.

#### NEXT GENERATION HIGH-SPEED RAIL

For necessary expenses for Next Generation High-Speed Rail studies, corridor planning, development, demonstration, and implementation, \$20,395,000, to remain available until expended: *Provided*, That funds under this head may be made available for grants to States for high-speed rail corridor design, feasibility studies, environmental analyses, and track and signal improvements.

#### ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, \$15,280,000 shall be for capital rehabilitation and improvements benefiting its passenger operations.

#### RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, \$10,000,000, to be matched by the State of Rhode Island or its designee on a dollar for dollar basis and to remain available until expended: *Pro-*

*vided*, That as a condition of accepting such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first \$23,000,000 in damages resulting from the legal action initiated by the P&W Railroad under its existing contracts with Amtrak relating to the provision of vertical clearances between Davisville and Central Falls in excess of those required for present freight operations.

#### GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 49 U.S.C. 24104, \$543,000,000, to remain available until expended, of which \$344,000,000 shall be available for operating losses, and \$199,000,000 shall be for capital improvements: *Provided*, That if Amtrak reform legislation as required by section 977(f) of the Taxpayer Relief Act of 1997 is enacted into law prior to the distribution by the Secretary of any of the funds appropriated above for capital improvements, then the portion of this appropriation made available for capital improvements shall not be available for obligation and the Secretary shall not transfer any of the funds appropriated under this heading for capital improvements to Amtrak: *Provided further*, That in the event Amtrak reform legislation required by section 977(f) of the Taxpayer Relief Act of 1997 is enacted into law after the distribution of some or all of the funds appropriated under this account for capital improvements are transferred by the Secretary to Amtrak, then the Secretary of the Treasury shall reduce the amount refunded to Amtrak under section 977 of the Taxpayer Relief Act of 1997 by an amount equal to the funds distributed to Amtrak under this heading for capital improvements and the portion of this appropriation made available for capital improvements shall not be available for obligation and no additional funds appropriated under this heading shall be transferred by the Secretary to Amtrak for capital improvements: *Provided further*, That none of the funds provided for capital improvements may be transferred to operating losses to pay for debt service interest unless specifically authorized by law after the date of enactment of this Act: *Provided further*, That the incurring of any obligation or commitment by the Corporation for the purchase of capital improvements with funds appropriated herein which is prohibited by this Act shall be deemed a violation of 31 U.S.C. 1341: *Provided further*, That funding under this head for capital improvements shall not be made available before July 1, 1998: *Provided further*, That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status.

#### FEDERAL TRANSIT ADMINISTRATION ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, \$45,738,000: *Provided*, That none of the funds in this Act shall be available for the execution of contracts under section 5327(c) of title 49, United States Code, in an aggregate amount that exceeds \$15,000,000.

#### FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to re-

main available until expended, \$240,000,000: *Provided*, That no more than \$2,500,000,000 of budget authority shall be available for these purposes: *Provided further*, That of the funds provided under this head for formula grants, no more than \$150,000,000 may be used for operating assistance under 49 U.S.C. 5336(d): *Provided further*, That the limitation on operating assistance provided under this heading shall, for urbanized areas of less than 200,000 in population, be no less than seventy-five percent of the amount of operating assistance such areas are eligible to receive under Public Law 103-331: *Provided further*, That in the distribution of the limitation provided under this heading to urbanized areas that had a population under the 1990 census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact of reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

#### UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by 49 U.S.C. 5317(b), to remain available until expended, \$6,000,000.

#### TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by 49 U.S.C. 5303, 5311, 5313, 5314, and 5315, to remain available until expended, \$92,000,000, of which \$39,500,000 shall be for activities under Metropolitan Planning (49 U.S.C. 5303); \$4,500,000 for activities under Rural Transit Assistance (49 U.S.C. 5311(b)(2)); \$8,250,000 for activities under State Planning and Research (49 U.S.C. 5313(b)); \$36,750,000 for activities including National Planning and Research (49 U.S.C. 5314 and 5313(a)); and \$3,000,000 for National Transit Institute (49 U.S.C. 5315).

#### TRUST FUND SHARE OF EXPENSES

##### (LIQUIDATION OF CONTRACT AUTHORIZATION)

##### (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(a), \$2,210,000,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided*, That \$2,210,000,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account.

##### DISCRETIONARY GRANTS

##### (LIMITATION ON OBLIGATIONS)

##### (HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of \$2,000,000,000 in fiscal year 1998 for grants under the contract authority in 49 U.S.C. 5338(b): *Provided*, That there shall be available for fixed guideway modernization, \$800,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, \$400,000,000; and there shall be available for new fixed guideway systems \$800,000,000, to be available as follows:

\$44,600,000 for the Atlanta-North Springs project;  
\$1,000,000 for the Austin Capital metro project;  
\$46,250,000 for the Boston Piers MOS-2 project;  
\$1,000,000 for the Boston urban ring project;  
\$5,000,000 for the Burlington-Essex, Vermont commuter rail project;  
\$2,000,000 for the Canton-Akron-Cleveland commuter rail project;  
\$1,500,000 for the Charleston monobeam rail project;



\$1,000,000 for the Charlotte South corridor transitway project;  
 \$500,000 for the Cincinnati Northeast/Northern Kentucky rail line project;  
 \$5,000,000 for the Clark County, Nevada fixed guideway project;  
 \$800,000 for the Cleveland Blue Line extension to Highland Hills project;  
 \$700,000 for the Cleveland Berea Red Line extension to Hopkins International Airport;  
 \$1,000,000 for the Cleveland Waterfront Line extension project;  
 \$8,000,000 for the Dallas-Fort Worth RAILTRAN project;  
 \$11,000,000 for the DART North Central light rail extension project;  
 \$1,000,000 for the DeKalb County, Georgia light rail project;  
 \$23,000,000 for the Denver Southwest Corridor project;  
 \$20,000,000 for the New York East Side access project;  
 \$8,000,000 for the Florida Tri-County commuter rail project;  
 \$2,000,000 for the Galveston, Texas rail trolley system project;  
 \$1,000,000 for the Houston Advanced Regional Bus project;  
 \$51,100,000 for the Houston Regional Bus project;  
 \$1,250,000 for the Indianapolis Northeast corridor project;  
 \$3,000,000 for the Jackson, Mississippi intermodal corridor project;  
 \$61,500,000 for the Los Angeles MOS-3 project;  
 \$31,000,000 for MARC commuter rail improvements;  
 \$1,000,000 for the Memphis, Tennessee regional rail project;  
 \$5,000,000 for the Metro-Dade Transit east-west corridor project;  
 \$5,000,000 for the Miami-North 27th Avenue project;  
 \$1,000,000 for the Mission Valley East corridor project;  
 \$500,000 for the Nassau Hub rail link EIS project;  
 \$60,000,000 for the New Jersey Hudson-Bergen LRT project;  
 \$27,000,000 for the New Jersey Secaucus project;  
 \$6,000,000 for the New Orleans Canal Street corridor project;  
 \$2,000,000 for the New Orleans Desire Streetcar project;  
 \$12,000,000 for the North Carolina Research Triangle Park project;  
 \$4,000,000 for the Northern Indiana South Shore commuter rail project;  
 \$3,000,000 for the Oceanside-Escondido light rail project;  
 \$1,600,000 for the Oklahoma City MAPS corridor transit project;  
 \$2,000,000 for the Orange County transitway project;  
 \$31,800,000 for the Orlando Lynx light rail project;  
 \$500,000 for the Pennsylvania Strawberry Hill/Diamond Branch rail project;  
 \$4,000,000 for the Phoenix metropolitan area transit project;  
 \$5,000,000 for the Pittsburgh airport busway project;  
 \$63,400,000 for the Portland-Westside/Hillsboro project;  
 \$2,000,000 for the Roaring Fork Valley rail project;  
 \$20,300,000 for the Sacramento LRT project;  
 \$63,400,000 for the Salt Lake City South LRT project;  
 \$4,000,000 for the Salt Lake City regional commuter system project;  
 \$1,000,000 for the San Bernardino Metrolink project;  
 \$1,500,000 for the San Diego Mid-Coast corridor project;  
 \$29,900,000 for the San Francisco BART extension to the airport project;

\$15,000,000 for the San Juan Tren Urbano;  
 \$21,400,000 for the San Jose Tasman LRT project;  
 \$18,000,000 for the Seattle-Tacoma light rail and commuter rail projects;  
 \$30,000,000 for the St. Louis-St. Clair LRT extension project;  
 \$2,500,000 for the St. George Ferry terminal project;  
 \$500,000 for the Springfield-Branson, Missouri commuter rail project;  
 \$1,000,000 for the Tampa Bay regional rail project;  
 \$2,000,000 for the Tidewater, Virginia rail project;  
 \$1,000,000 for the Toledo, Ohio rail project;  
 \$12,000,000 for the Twin Cities transitways projects;  
 \$2,000,000 for the Virginia Rail Express Fredericksburg to Washington commuter rail project;  
 \$2,500,000 for the Whitehall ferry terminal project; and  
 \$3,000,000 for the Wisconsin central commuter rail project.

MASS TRANSIT CAPITAL FUND  
 (LIQUIDATION OF CONTRACT AUTHORIZATION)  
 (HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration, \$2,350,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out the provisions of section 14 of Public Law 96-184 and Public Law 101-551, \$200,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE  
 (HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, including the Great Lakes Pilotage functions delegated by the Secretary of Transportation, \$11,200,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99-662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, \$28,450,000, of which \$574,000 shall be derived from the Pipeline Safety Fund, and of which \$4,950,000 shall remain available until September 30, 2000: *Provided*, That up to \$1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY  
 (PIPELINE SAFETY FUND)

(OILSPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, \$31,300,000, of which \$3,300,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2000; and of which \$28,000,000 shall be derived from the Pipeline Safety Fund, of which \$14,839,000 shall remain available until September 30, 2000: *Provided*, That in addition to amounts made available for the Pipeline Safety Fund, \$1,100,000 shall be available for grants to States for the development and establishment of one-call notification systems and shall be derived from amounts previously collected under 49 U.S.C. 60301, and that an additional \$365,000 in amounts previously collected under 49 U.S.C. 60301 is available to conduct general functions of the pipeline safety program.

EMERGENCY PREPAREDNESS GRANTS  
 (EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), \$200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2000: *Provided*, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

OFFICE OF INSPECTOR GENERAL  
 SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, \$42,000,000: *Provided*, That none of the funds under this heading shall be for the conduct of contract audits.

SURFACE TRANSPORTATION BOARD  
 SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, \$13,853,000: *Provided*, That \$2,000,000 in fees collected in fiscal year 1998 by the Surface Transportation Board pursuant to 31 U.S.C. 9701 shall be made available to this appropriation in fiscal year 1998: *Provided further*, That any fees received in excess of \$2,000,000 in fiscal year 1998 shall remain available until expended, but shall not be available for obligation until October 1, 1998.

TITLE II  
 RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, \$3,640,000: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902) \$48,371,000, of



which not to exceed \$2,000 may be used for official reception and representation expenses.

#### EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS-18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), \$1,000,000, to remain available until expended.

#### TITLE III

#### GENERAL PROVISIONS

##### (INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 302. Such sums as may be necessary for fiscal year 1998 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds in this Act shall be available for salaries and expenses of more than one hundred seven political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Tech-

nology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 310. (a) For fiscal year 1998 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1997, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 12 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned to a State;

(2) after August 1, 1998, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104, 144, and 160 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102-240; and

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a) of title 23, United States Code, the Federal lands highway program, the intelligent transportation systems program, the Truman-Hobbs bridges funded under the discretionary bridge program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024 of Public Law 102-240, and 49 U.S.C. 5316, 5317, and 5338: *Provided*, That amounts made available under section 6005 of Public Law 102-240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs under the head "Federal-Aid Highways" in this Act.

(d) During the period October 1 through December 31, 1997, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97-424, sections 1061, 1103-1108, 4008, 6023(b)(8), and 6023(b)(10) of Public Law 102-240, and for projects authorized by Public Law 99-500 and Public Law 100-17, shall not exceed \$277,431,840.

(e) Notwithstanding any other provision of law, none of the funds in this Act shall be available for the distribution of bonus limi-

tation under the federal-aid highways program.

SEC. 311. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program.

SEC. 312. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 313. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 314. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria.

SEC. 315. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of \$10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than \$10,000,000 which at the time of obligation has not been appropriated to the limits of the Government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided*, That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 316. For the purposes of funds made available under the heading, Formula Grants, the term "Capital Project" includes a project for—

(A)(i) acquisition, construction, supervision, or inspection of a facility or equipment, including inspection thereof, for use in mass transportation; and

(ii) expenses incidental to the acquisition or construction (including designing, engineering, location survey, mapping, acquiring rights of way, associated pre-revenue startup costs, and environmental mitigation), payments for rail trackage rights, Intelligent Transportation Systems, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing;

(B) rehabilitating a bus;

(C) remanufacturing a bus;

(D) overhauling rail rolling stock;

(E) preventive maintenance; and

(F) financing the operating costs of equipment and facilities used in mass transportation in urbanized areas with a population of less than 200,000.

SEC. 317. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Discretionary grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2000, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 318. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 319. None of the funds in this Act may be used to compensate in excess of 350 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1998.

SEC. 320. Funds provided in this Act for the Transportation Administrative Service Center (TASC) shall be reduced by \$3,000,000, which limits fiscal year 1998 TASC obligational authority for elements of the Department of Transportation funded in this Act to no more than \$118,800,000: *Provided*, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Transportation Administrative Service Center.

SEC. 321. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Limitation on General Operating Expenses" account, the Federal Transit Administration's "Transit Planning and Research" account, and to the Federal Railroad Administration's "Railroad Safety" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 322. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901 et seq.) prescribing corporate average fuel economy standards for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 323. None of the funds in this Act may be used for planning, engineering, design, or construction of a sixth runway at the Denver International Airport, Denver, Colorado: *Provided*, That this provision shall not apply in any case where the Administrator of the Federal Aviation Administration determines, in writing, that safety conditions warrant obligation of such funds: *Provided further*, That funds may be used for activities related to planning or analysis of airport noise issues related to the sixth runway project.

SEC. 324. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 325. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evalua-

tions; (d) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 326. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation: *Provided*, That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 327. None of the funds in this Act may be used to support Federal Transit Administration's field operations and oversight of the Washington Metropolitan Area Transit Authority in any location other than from the Washington, D.C. metropolitan area.

SEC. 328. Not to exceed \$1,000,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 329. Notwithstanding any other provision of law, the Secretary may use funds appropriated under this Act, or any subsequent Act, to administer and implement the exemption provisions of 49 CFR 580.6 and to adopt or amend exemptions from the disclosure requirements of 49 CFR part 580 for any class or category of vehicles that the Secretary deems appropriate.

SEC. 330. No funds other than those appropriated to the Surface Transportation Board or fees collected by the Board shall be used for conducting the activities of the Board.

SEC. 331. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a-10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products to the greatest extent practicable.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a

"Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 332. Notwithstanding any other provision of law, receipts, in amounts determined by the Secretary, collected from users of fitness centers operated by or for the Department of Transportation shall be available to support the operation and maintenance of those facilities.

SEC. 333. None of the funds made available in this Act may be used for improvements to the Miller Highway in New York City, New York.

SEC. 334. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 335. Notwithstanding any other provision of law, of amounts made available under Federal Aviation Administration "Operations", the FAA shall provide personnel at Dutch Harbor, Alaska to provide real-time weather and runway observation and other such functions to help ensure the safety of aviation operations.

SEC. 336. Notwithstanding 49 U.S.C. 41742, no essential air service shall be provided to communities in the forty-eight contiguous States that are located fewer than seventy highway miles from the nearest large and medium hub airport, or that require a rate of subsidy per passenger in excess of \$200 unless such point is greater than two hundred and ten miles from the nearest large or medium hub airport.

SEC. 337. (a) IN GENERAL.—For purposes of the exception set forth in section 29(a)(2) of the International Air Transportation Competition Act of 1979 (Public Law 96-192; 94 Stat. 48), the term "passenger capacity of 56 passengers or less" includes any aircraft, except aircraft exceeding gross aircraft weight of 300,000 pounds, reconfigured to accommodate 56 or fewer passengers if the total number of passenger seats installed on the aircraft does not exceed 56.

(b) INCLUSION OF CERTAIN STATES IN EXEMPTION.—The first sentence of section 29(c) of the International Air Transportation Competition Act of 1979 (Public Law 96-192; 94 Stat. 48 et seq.) is amended by inserting "Kansas, Alabama, Mississippi," before "and Texas".

(c) SAFETY ASSURANCE.—The Administrator of the Federal Aviation Administration shall monitor the safety of flight operations in the Dallas-Fort Worth metropolitan area and take such actions as may be necessary to ensure safe aviation operations. If the Administrator must restrict aviation operations in the Dallas-Fort Worth area to ensure safety, the Administrator shall notify the House and Senate Committees on Appropriations as soon as possible that an unsafe airspace management situation existed requiring the restrictions.

SEC. 338. Rebates, refunds, incentive payments, minor fees and other funds received by the Department from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department and allocated to elements of the Department using fair and equitable

criteria and such funds shall be available until December 31, 1998.

SEC. 339. Notwithstanding any other provision of law, the Department of the Navy is directed to transfer the USNS EDENTON (ATS-1), currently in Inactive Ship status, to the United States Coast Guard.

SEC. 340. (a) FINDINGS.—The Congress finds that—

(1) Congress has the authority under article I, section 8 of the Constitution to regulate the air commerce of the United States;

(2) section 47107 of title 49, United States Code, prohibits the diversion of certain revenue generated by a public airport as a condition of receiving a project grant;

(3) a grant recipient that uses airport revenues for purposes that are not airport related in a manner inconsistent with chapter 471 of title 49, United States Code, illegally diverts airport revenues;

(4) illegal diversion of airport revenues undermines the interest of the United States in promoting a strong national air transportation system;

(5) the policy of the United States that airports should be as self-sustaining as possible and that revenues generated at airports should not be diverted from airport purposes was stated by Congress in 1982 and reaffirmed and strengthened in 1987, 1994, and 1996;

(6) certain airports are constructed on lands that may have belonged, at one time, to native Americans, native Hawaiians, or Alaskan natives;

(7) contrary to the prohibition against diverting airport revenues from airport purposes under section 47107 of title 49, United States Code, certain payments from airport revenues may have been made for the betterment of native Americans, native Hawaiians, or Alaskan natives based upon the claims related to lands ceded to the United States;

(8) Federal law prohibits diversions of airport revenues obtained from any source whatsoever to occur in the future whether related to claims for periods of time prior to or after the date of enactment of this Act; and

(9) because of the special circumstances surrounding such past diversions of airport revenues for the betterment of native Americans, native Hawaiians, or Alaskan natives, it is in the national interest that amounts from airport revenues previously received by any entity for the betterment of native Americans, native Hawaiians, or Alaskan natives, as specified in subsection (b) of this section, should not be subject to repayment.

(b) TERMINATION OF REPAYMENT RESPONSIBILITY.—Notwithstanding the provisions of 47107 of title 49, United States Code, or any other provision of law, monies paid for claims related to ceded lands and diverted from airport revenues and received prior to April 1, 1996, by any entity for the betterment of native Americans, native Hawaiians, or Alaskan natives, shall not be subject to repayment.

(c) PROHIBITION ON FURTHER DIVERSION.—There shall be no further payment of airport revenues for claims related to ceded lands, whether characterized as operating expenses, rent, or otherwise, and whether related to claims for periods of time prior to or after the date of enactment of this Act.

(d) CLARIFICATION.—Nothing in this Act shall be construed to affect any existing federal statutes, enactments, or trust obligations created thereunder, or any statute of the several States that define the obligations of such States to native Hawaiians, native Americans, or Alaskan Natives in connection with ceded lands, except to make clear that airport revenues may not be used to satisfy such obligations.

SEC. 341. LIMITATION ON FUNDS USED TO ENFORCE REGULATIONS REGARDING ANIMAL FATS

AND VEGETABLE OILS.—None of the funds made available in this Act may be used by the Coast Guard to issue, implement, or enforce a regulation or to establish an interpretation or guideline under the Edible Oil Regulatory Reform Act (Public Law 104-55), or the amendments made by that Act, that does not recognize and provide for, with respect to fats, oils, and greases (as described in that Act, or the amendments made by that Act) differences in—

(1) physical, chemical, biological, and other relevant properties; and

(2) environmental effects.

SEC. 342. Notwithstanding the provisions of any other law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 343. Subsection (d)(4) of 49 U.S.C. 31112 is amended by striking "September 30, 1997" and inserting "February 28, 1998".

SEC. 344. None of the funds in this Act shall be used to enforce against air carriers, conducting operations under part 135 of the Federal Aviation Administration (FAA) regulations (14 C.F.R. 135.1 et seq.) that are not scheduled operations (as defined in 14 C.F.R. 119.3), the requirement in section 44936(f)(1) of title 49 that records be checked before hiring an individual as a pilot, until the FAA determines, in writing that it can furnish to such air carriers the requested records within 30 days, as required by section 44936(f)(5) of title 49. If the Administrator cannot make the determination, in writing, within 150 days after enactment of this Act, then the Administrator shall report to the Committees on Appropriations, the Senate Committee on Commerce, Science, and Transportation, and the House Committee on Transportation and Infrastructure, the reasons why the determination cannot be made.

SEC. 345. EXEMPTION AUTHORITY FOR AIR SERVICE TO SLOT-CONTROLLED AIRPORTS.—Section 41714 of title 49, United States Code, is amended by adding at the end thereof the following:

"(i) EXPEDITIOUS CONSIDERATION OF CERTAIN EXEMPTION REQUESTS.—Within 120 days after receiving an application for an exemption under subsection (a)(2) to improve air service between a nonhub airport (as defined in section 41731(a)(4)) and a high density airport subject to the exemption authority under subsection (a), the Secretary shall grant or deny the exemption. The Secretary shall notify the Senate Committee on Commerce, Science, and Transportation and the House Committee on Transportation and Infrastructure of the grant or denial within 14 calendar days after the determination and state the reasons for the determination."

SEC. 346. (a) As soon as practicable after the date of enactment of this Act, the Secretary of Transportation, acting for the Department of Transportation, may take receipt of such equipment and sites of the Ground Wave Emergency Network (referred to in this section as "GWEN") as the Secretary of Transportation determines to be necessary for the establishment of a nationwide system to be known as the "Nationwide Differential Global Positioning System" (referred to in this section as "NDGPS").

(b) As soon as practicable after the date of enactment of this Act, the Secretary of Transportation may establish the NDGPS. In establishing the NDGPS, the Secretary of Transportation may—

(1) if feasible, reuse GWEN equipment and sites transferred to the Department of Transportation under subsection (a);

(2) to the maximum extent practicable, use contractor services to install the NDGPS;

(3) modify the positioning system operated by the Coast Guard at the time of the establishment of the NDGPS to integrate the reference stations made available pursuant to subsection (a);

(4) in cooperation with the Secretary of Commerce, ensure that the reference stations referred to in paragraph (3) are compatible with, and integrated into, the Continuously Operating Reference Station (commonly referred to as "CORS") system of the National Geodetic Survey of the Department of Commerce; and

(5) in cooperation with the Secretary of Commerce, investigate the use of the NDGPS reference stations for the Global Positioning System Integrated Precipitable Water Vapor System of the National Oceanic and Atmospheric Administration.

(c) The Secretary of Transportation may—

(1) manage and operate the NDGPS;

(2) ensure that the service of the NDGPS is provided without the assessment of any user fee; and

(3) in cooperation with the Secretary of Defense, ensure that the use of the NDGPS is denied to any enemy of the United States.

(d) In any case in which the Secretary of Transportation determines that contracting for the maintenance of 1 or more NDGPS reference stations is cost-effective, the Secretary of Transportation may enter into a contract to provide for that maintenance.

(e) The Secretary of Transportation may—

(1) in cooperation with appropriate representatives of private industries and universities and officials of State governments—

(A) investigate improvements (including potential improvements) to the NDGPS;

(B) develop standards for the NDGPS; and

(C) sponsor the development of new applications for the NDGPS; and

(2) provide for the continual upgrading of the NDGPS to improve performance and address the needs of—

(A) the Federal Government;

(B) State and local governments; and

(C) the general public.

SEC. 347. The Secretary of Transportation is authorized to transfer funds appropriated to the Coast Guard in Public Law 102-368 in order to pay rent assessments by the General Services Administration related to prior year space needs of the Department: *Provided*, That prior to any such transfer, notification shall be provided to the House and Senate Committees on Appropriations.

SEC. 348. (a) Subsection (b) of section 642 of the Treasury and General Government Appropriations Act, 1998 is amended by inserting "other than a Member of Congress," after "Code,".

(b) Paragraph (1) of section 642(c) of such Act is amended by striking "(1)(A) subject to subparagraph (B)," and inserting "(1)" and by striking "December 31, 1998" and all that follows through the end and inserting "December 31, 1998";.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1998".

And the Senate agree to the same.

FRANK R. WOLF,  
TOM DELAY,  
RALPH REGULA,  
HAROLD ROGERS,  
RON PACKARD,  
SONNY CALLAHAN  
TODD TIAHRT,  
ROBERT B. ADERHOLT,  
BOB LIVINGSTON,  
MARTIN OLAV SABO,  
THOMAS M. FOGLIETTA,  
ESTEBAN EDWARD TORRES,  
JOHN W. OLVER,  
ED PASTOR,  
DAVID R. OBEY,

*Managers on the Part of the House.*

RICHARD C. SHELBY,

PETE V. DOMENICI,  
ARLEN SPECTER,  
CHRISTOPHER S. BOND,  
SLADE GORTON,  
ROBERT F. BENNETT,  
LAUCH FAIRCLOTH,  
TED STEVENS,  
FRANK R. LAUTENBERG,  
ROBERT C. BYRD,  
BARBARA A. MIKULSKI,  
HARRY REID,  
HERB KOHL,  
PATTY MURRAY,  
DANIEL K. INOUE,

*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,  
By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas ..... 401  
affirmative ..... { Nays ..... 21

¶116.13 [Roll No. 510]  
YEAS—401

|              |             |               |
|--------------|-------------|---------------|
| Abercrombie  | Christensen | Filner        |
| Ackerman     | Clay        | Flake         |
| Aderholt     | Clayton     | Foglietta     |
| Allen        | Clement     | Foley         |
| Andrews      | Clyburn     | Forbes        |
| Archer       | Coble       | Ford          |
| Armey        | Collins     | Fowler        |
| Bachus       | Combest     | Fox           |
| Baesler      | Condit      | Frank (MA)    |
| Baker        | Cook        | Franks (NJ)   |
| Baldacci     | Cooksey     | Frelinghuysen |
| Ballenger    | Costello    | Furse         |
| Barcia       | Cox         | Galleghy      |
| Barr         | Coyne       | Ganske        |
| Barrett (NE) | Cramer      | Gejdenson     |
| Barrett (WI) | Crane       | Gekas         |
| Bartlett     | Crapo       | Gephardt      |
| Barton       | Cubin       | Gibbons       |
| Bass         | Cummings    | Gilchrest     |
| Bateman      | Cunningham  | Gillmor       |
| Becerra      | Danner      | Gilman        |
| Bentsen      | Davis (FL)  | Goode         |
| Bereuter     | Davis (IL)  | Goodlatte     |
| Berman       | Davis (VA)  | Goodling      |
| Berry        | Deal        | Gordon        |
| Bilbray      | DeFazio     | Goss          |
| Bilirakis    | DeGette     | Graham        |
| Bishop       | Delahunt    | Green         |
| Blagojevich  | DeLauro     | Greenwood     |
| Bliley       | DeLay       | Gutierrez     |
| Blumenauer   | Dellums     | Gutknecht     |
| Blunt        | Deutsch     | Hall (OH)     |
| Boehlert     | Diaz-Balart | Hall (TX)     |
| Boehner      | Dickey      | Hamilton      |
| Bonilla      | Dicks       | Hansen        |
| Bono         | Dixon       | Harman        |
| Borski       | Doggett     | Hastert       |
| Boswell      | Dooley      | Hastings (FL) |
| Boucher      | Doolittle   | Hastings (WA) |
| Boyd         | Doyle       | Hayworth      |
| Brady        | Dreier      | Hefley        |
| Brown (CA)   | Duncan      | Hefner        |
| Brown (OH)   | Dunn        | Herger        |
| Bryant       | Edwards     | Hill          |
| Bunning      | Ehrlich     | Hilleary      |
| Burr         | Emerson     | Hinchey       |
| Burton       | Engel       | Hinojosa      |
| Buyer        | English     | Hobson        |
| Callahan     | Ensign      | Holden        |
| Calvert      | Eshoo       | Hooley        |
| Canady       | Etheridge   | Horn          |
| Cannon       | Evans       | Houghton      |
| Capps        | Everett     | Hoyer         |
| Cardin       | Ewing       | Hulshof       |
| Carson       | Farr        | Hunter        |
| Castle       | Fattah      | Hutchinson    |
| Chabot       | Fawell      | Hyde          |
| Chenoweth    | Fazio       | Inglis        |

|               |               |               |
|---------------|---------------|---------------|
| Istook        | Miller (FL)   | Schaffer, Bob |
| Jackson (IL)  | Minge         | Schumer       |
| Jackson-Lee   | Mink          | Scott         |
| (TX)          | Moakley       | Sensenbrenner |
| Jefferson     | Mollohan      | Serrano       |
| Jenkins       | Moran (KS)    | Sessions      |
| John          | Moran (VA)    | Shadegg       |
| Johnson (CT)  | Morella       | Shaw          |
| Johnson (WI)  | Myrick        | Shays         |
| Johnson, Sam  | Nadler        | Sherman       |
| Jones         | Neal          | Shimkus       |
| Kanjorski     | Nethercutt    | Shuster       |
| Kaptur        | Neumann       | Sisisky       |
| Kasich        | Ney           | Skaggs        |
| Kelly         | Northup       | Skeen         |
| Kennedy (MA)  | Norwood       | Skelton       |
| Kennelly      | Nussle        | Slaughter     |
| Kildee        | Oberstar      | Smith (NJ)    |
| Kim           | Obey          | Smith (OR)    |
| Kind (WI)     | Olver         | Smith (TX)    |
| King (NY)     | Ortiz         | Smith, Adam   |
| Kingston      | Owens         | Smith, Linda  |
| Klecza        | Oxley         | Snowbarger    |
| Klink         | Packard       | Snyder        |
| Klug          | Pallone       | Solomon       |
| Knollenberg   | Pappas        | Souder        |
| Kolbe         | Parker        | Spence        |
| Kucinich      | Pascrell      | Spratt        |
| LaFalce       | Pastor        | Stark         |
| LaHood        | Paxon         | Stearns       |
| Lampson       | Payne         | Stenholm      |
| Lantos        | Pease         | Stokes        |
| Latham        | Pelosi        | Strickland    |
| LaTourette    | Peterson (MN) | Stump         |
| Lazio         | Peterson (PA) | Sununu        |
| Leach         | Petri         | Talent        |
| Lewis (CA)    | Pickering     | Tanner        |
| Lewis (GA)    | Pickett       | Tauscher      |
| Linder        | Pitts         | Tauzin        |
| Lipinski      | Pombo         | Taylor (MS)   |
| Livingston    | Pomeroy       | Taylor (NC)   |
| LoBiondo      | Porter        | Thomas        |
| Lofgren       | Portman       | Thompson      |
| Lowey         | Poshard       | Thornberry    |
| Lucas         | Price (NC)    | Thune         |
| Luther        | Pryce (OH)    | Thurman       |
| Maloney (CT)  | Quinn         | Tiahrt        |
| Maloney (NY)  | Radanovich    | Tierney       |
| Manton        | Rahall        | Torres        |
| Manzullo      | Ramstad       | Towns         |
| Markey        | Rangel        | Trafficant    |
| Martinez      | Redmond       | Turner        |
| Mascara       | Regula        | Velazquez     |
| Matsui        | Reyes         | Vento         |
| McCarthy (MO) | Riggs         | Visclosky     |
| McCarthy (NY) | Riley         | Walsh         |
| McCollum      | Rivers        | Wamp          |
| McCrery       | Rodriguez     | Waters        |
| McDade        | Roemer        | Watkins       |
| McDermott     | Rogan         | Watt (NC)     |
| McGovern      | Rogers        | Watts (OK)    |
| McHale        | Rohrabacher   | Weldon (FL)   |
| McHugh        | Ros-Lehtinen  | Weldon (PA)   |
| McInnis       | Rothman       | Weller        |
| McIntosh      | Roukema       | Weygand       |
| McIntyre      | Roybal-Allard | White         |
| McKeon        | Royce         | Whitfield     |
| McKinney      | Rush          | Wicker        |
| Goss          | McNulty       | Wise          |
| Graham        | Meehan        | Wolf          |
| Green         | Meek          | Woolsey       |
| Greenwood     | Menendez      | Wynn          |
| Gutierrez     | Metcalf       | Yates         |
| Gutknecht     | Mica          | Young (AK)    |
| Hall (OH)     | Millender-    | Young (FL)    |
| Hall (TX)     | McDonald      |               |
| Hamilton      | Miller (CA)   |               |
| Hansen        |               |               |
| Harman        |               |               |
| Hastert       |               |               |
| Hastings (FL) |               |               |
| Hastings (WA) |               |               |
| Hayworth      |               |               |
| Hefley        |               |               |
| Hefner        |               |               |
| Herger        |               |               |
| Hill          |               |               |
| Hilleary      |               |               |
| Hinchey       |               |               |
| Hinojosa      |               |               |
| Hobson        |               |               |
| Holden        |               |               |
| Hooley        |               |               |
| Horn          |               |               |
| Houghton      |               |               |
| Hoyer         |               |               |
| Hulshof       |               |               |
| Hunter        |               |               |
| Hutchinson    |               |               |
| Hyde          |               |               |
| Inglis        |               |               |

NAYS—21

|          |                |             |
|----------|----------------|-------------|
| Camp     | Granger        | Sanford     |
| Campbell | Hoekstra       | Scarborough |
| Coburn   | Hostettler     | Smith (MI)  |
| Conyers  | Johnson, E. B. | Stabenow    |
| Dingell  | Kilpatrick     | Stupak      |
| Ehlers   | Levin          | Upton       |
| Frost    | Paul           | Wexler      |

NOT VOTING—11

|            |              |        |
|------------|--------------|--------|
| Bonior     | Hilliard     | Murtha |
| Brown (FL) | Kennedy (RI) | Schiff |
| Chambliss  | Largent      | Waxman |
| Gonzalez   | Lewis (KY)   |        |

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk notify the Senate thereof.

¶116.14 D.C. APPROPRIATIONS

The SPEAKER, pursuant to House Resolution 264 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2607) making appropriations for the government of the District of Columbia and other activities chargeable in whole or part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes.

The SPEAKER designated Mr. CAMP as Chairman of the Committee of the Whole; and after some time spent therein,

¶116.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SABO:

Page 173, strike line 21 and all that follows through page 174, line 9 (and redesignate the succeeding sections accordingly).

It was decided in the { Yeas ..... 234  
affirmative ..... { Nays ..... 188

¶116.16 [Roll No. 511]  
AYES—234

|              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Evans          | Lazio         |
| Ackerman     | Ewing          | Levin         |
| Allen        | Farr           | Lewis (CA)    |
| Andrews      | Fattah         | Lewis (GA)    |
| Baesler      | Fazio          | Lipinski      |
| Baldacci     | Filner         | LoBiondo      |
| Barcia       | Flake          | Lofgren       |
| Barrett (WI) | Foglietta      | Lowey         |
| Becerra      | Forbes         | Luther        |
| Bentsen      | Ford           | Maloney (CT)  |
| Berry        | Fox            | Maloney (NY)  |
| Bilbray      | Frank (MA)     | Manton        |
| Bishop       | Franks (NJ)    | Markey        |
| Blagojevich  | Frost          | Martinez      |
| Blumenauer   | Furse          | Mascara       |
| Boehlert     | Gejdenson      | Matsui        |
| Bonior       | Gephardt       | McCarthy (MO) |
| Borski       | Gilman         | McCarthy (NY) |
| Boswell      | Gordon         | McDade        |
| Boucher      | Green          | McDermott     |
| Boyd         | Hall (OH)      | McGovern      |
| Brown (CA)   | Hamilton       | McHale        |
| Brown (OH)   | Harman         | McHugh        |
| Capps        | Hastings (FL)  | McIntyre      |
| Cardin       | Hill           | McKinney      |
| Carson       | Hinchey        | McNulty       |
| Clay         | Hinojosa       | Meehan        |
| Clayton      | Holden         | Meek          |
| Clement      | Hooley         | Menendez      |
| Clyburn      | Horn           | Metcalf       |
| Condit       | Houghton       | Millender-    |
| Conyers      | Hoyer          | McDonald      |
| Costello     | Jackson (IL)   | Miller (CA)   |
| Coyne        | Jackson-Lee    | Minge         |
| Cramer       | (TX)           | Mink          |
| Cummings     | Jefferson      | Moakley       |
| Danner       | Johnson (CT)   | Mollohan      |
| Davis (FL)   | Johnson (WI)   | Moran (VA)    |
| Davis (IL)   | Johnson, E. B. | Murtha        |
| DeFazio      | Kanjorski      | Nadler        |
| DeGette      | Kaptur         | Neal          |
| Delahunt     | Kelly          | Ney           |
| DeLauro      | Kennedy (MA)   | Oberstar      |
| Dellums      | Kennedy (RI)   | Obey          |
| Deutsch      | Kennelly       | Olver         |
| Diaz-Balart  | Kildee         | Ortiz         |
| Dicks        | Kilpatrick     | Owens         |
| Dingell      | Kind (WI)      | Pallone       |
| Dixon        | King (NY)      | Pappas        |
| Doggett      | Klecza         | Pascrell      |
| Dooley       | Klink          | Pastor        |
| Doyle        | Kucinich       | Payne         |
| Edwards      | LaFalce        | Pelosi        |
| Engel        | LaHood         | Peterson (MN) |
| English      | Lampson        | Petri         |
| Eshoo        | Lantos         | Pickett       |
| Etheridge    | LaTourette     | Pomeroy       |

Poshard  
Price (NC)  
Quinn  
Rahall  
Rangel  
Regula  
Reyes  
Rivers  
Rodriguez  
Roemer  
Rothman  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schumer  
Scott

Serrano  
Shays  
Sherman  
Shimkus  
Sisisky  
Skaggs  
Skelton  
Slaughter  
Smith (NJ)  
Smith, Adam  
Smith, Linda  
Snyder  
Spratt  
Stabenow  
Stark  
Stokes  
Strickland  
Stupak  
Tanner  
Tauscher  
Thompson  
Thurman

Tierney  
Torres  
Towns  
Traficant  
Turner  
Velazquez  
Vento  
Visclosky  
Walsh  
Waters  
Watt (NC)  
Waxman  
Weldon (PA)  
Weller  
Wexler  
Weygand  
Wise  
Woolsey  
Wynn  
Yates  
Young (AK)

## NOES—188

Aderholt  
Archer  
Armey  
Bachus  
Baker  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bilirakis  
Bliley  
Blunt  
Boehner  
Bonilla  
Bono  
Brady  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Castle  
Chabot  
Chenoweth  
Christensen  
Coble  
Coburn  
Collins  
Combest  
Cook  
Cooksey  
Cox  
Crane  
Crapo  
Cubin  
Cunningham  
Davis (VA)  
Deal  
DeLay  
Dickey  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
Ensign  
Everett  
Fawell  
Foley  
Fowler  
Frelinghuysen

Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Goode  
Goodlatte  
Goodling  
Goss  
Graham  
Granger  
Greenwood  
Gutknecht  
Hall (TX)  
Hansen  
Hastert  
Hayworth  
Hefley  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hostettler  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jenkins  
John  
Johnson, Sam  
Jones  
Kasich  
Kim  
Kingston  
Klug  
Knollenberg  
Kolbe  
Largent  
Latham  
Leach  
Linder  
Livingston  
Lucas  
Manzullo  
McCollum  
McCrery  
McInnis  
McIntosh  
McKeon  
Mica  
Miller (FL)  
Moran (KS)  
Morella  
Myrick  
Nethercutt  
Neumann  
Northup  
Norwood  
Nussle  
Oxley

Packard  
Parker  
Paul  
Paxon  
Pease  
Peterson (PA)  
Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Radanovich  
Ramstad  
Redmond  
Riggs  
Riley  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryun  
Salmon  
Sanford  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shuster  
Skeen  
Smith (MI)  
Smith (OR)  
Smith (TX)  
Snowbarger  
Souder  
Spence  
Stearns  
Stenholm  
Leach  
Sununu  
Talent  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Tiahrt  
Upton  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
White  
Whitfield  
Wicker  
Wolf  
Young (FL)

## NOT VOTING—11

Berman  
Brown (FL)  
Chambliss  
Gonzalez

Gutierrez  
Hastings (WA)  
Hefner  
Hilliard  
Lewis (KY)  
Schiff  
Solomon

So the amendment was agreed to.  
After some further time,

## 116.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment in the nature of a substitute submitted by Mr. MORAN:

Strike all after the enacting clause and insert the following:

That, the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 1998, and for other purposes, namely:

## FEDERAL FUNDS

## FEDERAL PAYMENT FOR MANAGEMENT REFORM

For payment to the District of Columbia, as authorized by section 11103(c) of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33, \$8,000,000, to remain available until September 30, 1999, which shall be deposited into an escrow account of the District of Columbia Financial Responsibility and Management Assistance Authority, pursuant to section 205 of Public Law 104-8 (109 Stat. 131), and shall be disbursed from such escrow account pursuant to the instructions of the Authority only for a program of management reform pursuant to sections 11101-11106 of the District of Columbia Management Reform Act of 1997, Public Law 105-33.

## FEDERAL CONTRIBUTION TO THE OPERATIONS OF THE NATION'S CAPITAL

For a Federal contribution to the District of Columbia toward the costs of the operation of the government of the District of Columbia, \$190,000,000: *Provided*, That these funds may be used by the District of Columbia for the costs of advances to the District government as authorized by section 11402 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33: *Provided further*, That not less than \$30,000,000 shall be used by the District of Columbia to repay the accumulated general fund deficit.

## METROPOLITAN POLICE DEPARTMENT

For the Metropolitan Police Department, \$5,400,000, for a 5 percent pay increase for sworn officers who perform primarily non-administrative public safety services and are certified by the Chief of Police as having met the minimum "Basic Certificate" standards transmitted by the District of Columbia Financial Responsibility and Management Assistance Authority to Congress by letter dated May 19, 1997, or (if applicable) the minimum standards under any physical fitness and performance standards developed by the Department in consultation with the Authority.

## FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

For the Fire and Emergency Medical Services Department, \$2,600,000, for a 5 percent pay increase for uniformed fire fighters.

## FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE OPERATIONS

For payment to the District of Columbia Corrections Trustee, \$169,000,000 for the administration and operation of correctional facilities, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

## FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA CORRECTIONS TRUSTEE FOR CORRECTIONAL FACILITIES, CONSTRUCTION AND REPAIR

For payment to the District of Columbia Corrections Trustee for Correctional Facilities, \$302,000,000, to remain available until expended, of which not less than \$294,900,000 is available for transfer to the Federal Prison System, as authorized by section 11202 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

## FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Notwithstanding any other provision of law, \$116,000,000, for the Administrative Office of the United States Courts, to be available only for obligation by the Joint Committee on Judicial Administration in the District of Columbia for operation of the District of Columbia Courts, of which not to exceed \$750,000 shall be available for establishment and operations of the District of Columbia Truth in Sentencing Commission as authorized by section 11211 of the National Capital Revitalization and Self-Government Improvement Act of 1997, Public Law 105-33.

Notwithstanding any other provision of law, for an additional amount, \$30,000,000, for the Administrative Office of the United States Courts, to be available only for obligation by the Offender Supervision Trustee, for Pretrial Services, Defense Services, Parole, Adult Probation, and administrative operating costs of the Office of the Offender Supervision Trustee, of which not to exceed \$800,000 shall be transferred to the United States Parole Commission to implement section 11231 of the National Capital Revitalization and Self-Government Improvement Act of 1997.

## DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES

## DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided.

## GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, \$105,177,000 (including \$84,316,000, from local funds, \$14,013,000 from Federal funds, and \$6,848,000 from other funds): *Provided*, That not to exceed \$2,500 for the Mayor, \$2,500 for the Chairman of the Council of the District of Columbia, and \$2,500 for the City Administrator shall be available from this appropriation for official purposes: *Provided further*, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: *Provided further*, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally-generated revenues: *Provided further*, That \$240,000 shall be available for citywide special elections: *Provided further*, That all employees permanently assigned to work in the Office of the Mayor shall be paid from funds allocated to the Office of the Mayor.

## ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, \$120,072,000 (including \$40,377,000 from local funds, \$42,065,000 from Federal funds, and \$37,630,000 from other funds), together with \$12,000,000 collected in the form of BID tax revenue collected by the District of Columbia on behalf of business improvement districts pursuant to the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Code, sec. 1-2271 et seq.), and the Business Improvement Districts Temporary Amendment Act of 1997 (Bill 12-230).

## PUBLIC SAFETY AND JUSTICE

Public safety and justice, including purchase or lease of 135 passenger-carrying vehicles for replacement only, including 130 for police-type use and five for fire-type use, without regard to the general purchase price limitation for the current fiscal year, \$529,739,000 (including \$510,326,000 from local

funds, \$13,519,000 from Federal funds, and \$5,894,000 from other funds): *Provided*, That the Metropolitan Police Department is authorized to replace not to exceed 25 passenger-carrying vehicles and the Department of Fire and Emergency Medical Services of the District of Columbia is authorized to replace not to exceed five passenger-carrying vehicles annually whenever the cost of repair to any damaged vehicle exceeds three-fourths of the cost of the replacement: *Provided further*, That not to exceed \$500,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime: *Provided further*, That the Metropolitan Police Department shall provide quarterly reports to the Committees on Appropriations of the House and Senate on efforts to increase efficiency and improve the professionalism in the department: *Provided further*, That notwithstanding any other provision of law, or Mayor's Order 86-45, issued March 18, 1986, the Metropolitan Police Department's delegated small purchase authority shall be \$500,000: *Provided further*, That the District of Columbia government may not require the Metropolitan Police Department to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed \$500,000: *Provided further*, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: *Provided further*, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved: *Provided further*, That the Metropolitan Police Department is authorized to maintain 3,800 sworn officers, with leave for a 50 officer attrition: *Provided further*, That no more than 15 members of the Metropolitan Police Department shall be detailed or assigned to the Executive Protection Unit, until the Chief of Police submits a recommendation to the Council for its review: *Provided further*, That \$100,000 shall be available for inmates released on medical and geriatric parole: *Provided further*, That not less than \$2,254,754 shall be available to support a pay raise for uniformed firefighters, when authorized by the District of Columbia Council and the District of Columbia Financial Responsibility and Management Assistance Authority, which funding will be made available as savings achieved through actions within the appropriated budget: *Provided further*, That, commencing on December 31, 1997, the Metropolitan Police Department shall provide to the Committees on Appropriations of the Senate and House of Representatives, the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, and quarterly reports on the status of crime reduction in each of the 83 police service areas established throughout the District of Columbia.

#### PUBLIC EDUCATION SYSTEM

Public education system, including the development of national defense education programs, \$672,444,000 (including \$530,197,000 from local funds, \$112,806,000 from Federal funds, and \$29,441,000 from other funds), to be allocated as follows: \$564,129,000 (including

\$460,143,000 from local funds, \$98,491,000 from Federal funds, and \$5,495,000 from other funds), for the public schools of the District of Columbia; \$1,235,000 from local funds for public charter schools: *Provided*, That if the entirety of this allocation has not been provided as payments to one or more public charter schools by May 1, 1998, and remains unallocated, the funds will revert to the general fund of the District of Columbia in accordance with section 2403(a)(2)(D) of the District of Columbia School Reform Act of 1995 (Public Law 104-134); \$74,087,000 (including \$37,791,000 from local funds, \$12,804,000 from Federal funds, and \$23,492,000 from other funds) for the University of the District of Columbia; \$22,036,000 (including \$20,424,000 from local funds, \$1,158,000 from Federal funds, and \$454,000 from other funds) for the Public Library; \$2,057,000 (including \$1,704,000 from local funds and \$353,000 from Federal funds) for the Commission on the Arts and Humanities: *Provided further*, That the public schools of the District of Columbia are authorized to accept not to exceed 31 motor vehicles for exclusive use in the driver education program: *Provided further*, That not to exceed \$2,500 for the Superintendent of Schools, \$2,500 for the President of the University of the District of Columbia, and \$2,000 for the Public Librarian shall be available from this appropriation for official purposes: *Provided further*, That not less than \$1,200,000 shall be available for local school allotments in a restricted line item: *Provided further*, That not less than \$4,500,000 shall be available to support kindergarten aides in a restricted line item: *Provided further*, That not less than \$2,800,000 shall be available to support substitute teachers in a restricted line item: *Provided further*, That not less than \$1,788,000 shall be available in a restricted line item for school counselors: *Provided further*, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 1998, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

#### HUMAN SUPPORT SERVICES

Human support services, \$1,718,939,000 (including \$789,350,000 from local funds, \$886,702,000 from Federal funds, and \$42,887,000 from other funds): *Provided*, That \$21,089,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: *Provided further*, That a peer review committee shall be established to review medical payments and the type of service received by a disability compensation claimant: *Provided further*, That the District of Columbia shall not provide free government services such as water, sewer, solid waste disposal or collection, utilities, maintenance, repairs, or similar services to any legally constituted private nonprofit organization (as defined in section 411(5) of Public Law 100-77, approved July 22, 1987) providing emergency shelter services in the District, if the District would not be qualified to receive reimbursement pursuant to the Stewart B. McKinney Homeless Assistance Act, approved July 22, 1987 (101 Stat. 485; Public Law 100-77; 42 U.S.C. 11301 et seq.).

#### PUBLIC WORKS

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and three passenger-carrying vehicles for use by the Council of the District of Columbia

and leasing of passenger-carrying vehicles \$241,934,000 (including \$227,983,000 from local funds, \$3,350,000 from Federal funds, and \$10,601,000 from other funds): *Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business: *Provided further*, That \$3,000,000 shall be available for the lease financing, operation, and maintenance of two mechanical street sweepers, one flusher truck, five packer trucks, one front-end loader, and various public litter containers: *Provided further*, That \$2,400,000 shall be available for recycling activities.

#### FINANCING AND OTHER USES

Financing and other uses, \$454,773,000 (including for payment to the Washington Convention Center, \$5,400,000 from local funds; reimbursement to the United States of funds loaned in compliance with an Act to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, approved August 7, 1946 (60 Stat. 896; Public Law 79-648), section 1 of an Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvement programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City, approved June 6, 1958 (72 Stat. 183; Public Law 85-451; D.C. Code, sec. 9-219), section 4 of an Act to authorize the Commissioners of the District of Columbia to plan, construct, operate, and maintain a sanitary sewer to connect the Dulles International Airport with the District of Columbia system, approved June 12, 1960 (74 Stat. 211; Public Law 86-515), and sections 723 and 743(f) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973, as amended (87 Stat. 821; Public Law 93-198; D.C. Code, sec. 47-321, note; 91 Stat. 1156; Public Law 95-131; D.C. Code, sec. 9-219, note), including interest as required thereby, \$384,430,000 from local funds; for the purpose of eliminating the \$331,589,000 general fund accumulated deficit as of September 30, 1990, \$39,020,000 from local funds, as authorized by section 461(a) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973, as amended (105 Stat. 540; Public Law 102-106; D.C. Code, sec. 47-321(a)(1); for payment of interest on short-term borrowing, \$12,000,000 from local funds; for lease payments in accordance with the Certificates of Participation involving the land site underlying the building located at One Judiciary Square, \$7,923,000 from local funds; for human resources development, including costs of increased employee training, administrative reforms, and an executive compensation system, \$6,000,000 from local funds; for equipment leases, the Mayor may finance \$13,127,000 of equipment cost, plus cost of issuance not to exceed two percent of the par amount being financed on a lease purchase basis with a maturity not to exceed five years: *Provided*, That \$75,000 is allocated to the Department of Corrections, \$8,000,000 for the Public Schools, \$50,000 for the Public Library, \$260,000 for the Department of Human Services, \$244,000 for the Department of Recreation and Parks, and \$4,498,000 for the Department of Public Works.

#### ENTERPRISE FUNDS

##### ENTERPRISE AND OTHER USES

Enterprises and other uses, \$15,725,000 (including for the Cable Television Enterprise Fund, established by the Cable Television Communications Act of 1981, effective October 22, 1983 (D.C. Law 5-36; D.C. Code, sec. 43-1801 et seq.), \$2,467,000 (including \$2,135,000 from local funds and \$332,000 from other funds); for the Public Service Commission, \$4,547,000 (including \$4,250,000 from local

funds, \$117,000 from Federal funds, and \$180,000 from other funds), for the Office of the People's Counsel, \$2,428,000 from local funds; for the Office of Banking and Financial Institutions, \$600,000 (including \$100,000 from local funds and \$500,000 from other funds); for the Department of Insurance and Securities Regulation, \$5,683,000 from other funds.

#### WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For the Water and Sewer Authority and the Washington Aqueduct, \$297,310,000 from other funds (including \$263,425,000 for the Water and Sewer Authority and \$33,885,000 for the Washington Aqueduct) of which \$41,423,000 shall be apportioned and payable to the District's debt service fund for repayment of loans and interest incurred for capital improvement projects.

#### LOTTERY AND CHARITABLE GAMES CONTROL BOARD

For the Lottery and Charitable Games Control Board, established by the District of Columbia Appropriation Act for the fiscal year ending September 30, 1982, approved December 4, 1981 (95 Stat. 1174, 1175; Public Law 97-91), as amended, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Code, secs. 2-2501 et seq. and 22-1516 et seq.), \$213,500,000: *Provided*, That the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally-generated revenues: *Provided further*, That no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

#### STARPLEX FUND

For the Starplex Fund, \$5,936,000 from other funds for expenses incurred by the Armory Board in the exercise of its powers granted by An Act To Establish A District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-301 et seq.) and the District of Columbia Stadium Act of 1957, approved September 7, 1957 (71 Stat. 619; Public Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided*, That the Mayor shall submit a budget for the Armory Board for the forthcoming fiscal year as required by section 442(b) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 824; Public Law 93-198; D.C. Code, sec. 47-301(b)).

#### D.C. GENERAL HOSPITAL

For the District of Columbia General Hospital, established by Reorganization Order No. 57 of the Board of Commissioners, effective August 15, 1953, \$97,019,000, of which \$44,335,000 shall be derived by transfer from the general fund and \$52,684,000 shall be derived from other funds.

#### D.C. RETIREMENT BOARD

For the D.C. Retirement Board, established by section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat. 866; D.C. Code, sec. 1-711), \$16,762,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board: *Provided*, That the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly report of the allocations of charges by fund and of expenditures of all funds: *Provided further*, That the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the

planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

#### WASHINGTON CONVENTION CENTER ENTERPRISE FUND

For the Washington Convention Center Enterprise Fund, \$46,400,000, of which \$5,400,000 shall be derived by transfer from the general fund.

#### DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

For the District of Columbia Financial Responsibility and Management Assistance Authority, established by section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 97; Public Law 104-8), \$3,220,000.

#### CAPITAL OUTLAY

For construction projects, \$269,330,000 (including \$31,100,000 for the highway trust fund, \$105,485,000 from local funds, and \$132,745,000 in Federal funds), to remain available until expended: *Provided*, That funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System: *Provided further*, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: *Provided further*, That notwithstanding the foregoing, all authorizations for capital outlay projects, except those projects covered by the first sentence of section 23(a) of the Federal-Aid Highway Act of 1968, approved August 23, 1968 (82 Stat. 827; Public Law 90-495; D.C. Code, sec. 7-134, note), for which funds are provided by this appropriation title, shall expire on September 30, 1999, except authorizations for projects as to which funds have been obligated in whole or in part prior to September 30, 1999: *Provided further*, That upon expiration of any such project authorization the funds provided herein for the project shall lapse.

#### DEFICIT REDUCTION AND REVITALIZATION

For deficit reduction and revitalization, \$201,090,000, to be deposited into an escrow account held by the District of Columbia Financial Responsibility and Management Assistance Authority (Authority), which shall allocate the funds to the Mayor, or such other District official as the Authority may deem appropriate, at such intervals and in accordance with such terms and conditions as the Authority considers appropriate: *Provided*, That these funds shall only be used for reduction of the accumulated general fund deficit; capital expenditures, including debt service; and management and productivity improvements, as allocated by the Authority: *Provided further*, That no funds may be obligated until a plan for their use is approved by the Authority: *Provided further*, That the Authority shall inform the Committees on Appropriations of the Senate and House of Representatives, the Committee on Governmental Affairs of the Senate, and the Committee on Government Reform and Oversight of the House of Representatives of the approved plans.

#### GENERAL PROVISIONS

SECTION 101. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 102. Except as otherwise provided in this Act, all vouchers covering expenditures of appropriations contained in this Act shall be audited before payment by the designated certifying official and the vouchers as approved shall be paid by checks issued by the designated disbursing official.

SEC. 103. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 104. Appropriations in this Act shall be available, when authorized by the Mayor, for allowances for privately-owned automobiles and motorcycles used for the performance of official duties at rates established by the Mayor: *Provided*, That such rates shall not exceed the maximum prevailing rates for such vehicles as prescribed in the Federal Property Management Regulations 101-7 (Federal Travel Regulations).

SEC. 105. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor: *Provided*, That the Council of the District of Columbia and the District of Columbia Courts may expend such funds without authorization by the Mayor.

SEC. 106. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of judgments that have been entered against the District of Columbia government: *Provided*, That nothing contained in this section shall be construed as modifying or affecting the provisions of section 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947, approved March 31, 1956 (70 Stat. 78; Public Law 84-460; D.C. Code, sec. 47-1812.11(c)(3)).

SEC. 107. Appropriations in this Act shall be available for the payment of public assistance without reference to the requirement of section 544 of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Code, sec. 3-205.44), and for the non-Federal share of funds necessary to qualify for Federal assistance under the Juvenile Delinquency Prevention and Control Act of 1968, approved July 31, 1968 (82 Stat. 462; Public Law 90-445; 42 U.S.C. 3801 et seq.).

SEC. 108. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 109. No funds appropriated in this Act for the District of Columbia government for the operation of educational institutions, the compensation of personnel, or for other educational purposes may be used to permit, encourage, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 110. None of the funds appropriated in this Act shall be made available to pay the salary of any employee of the District of Columbia government whose name, title, grade, salary, past work experience, and salary history are not available for inspection by the House and Senate Committees on Appropriations, the Subcommittee on the District of Columbia of the House Committee on Government Reform and Oversight, the Subcommittee on Oversight of Government Management and the District of Columbia of the Senate Committee on Governmental Affairs, and the Council of the District of Co-



lumbia, or their duly authorized representative.

SEC. 111. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making payments authorized by the District of Columbia Revenue Recovery Act of 1977, effective September 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-421 et seq.).

SEC. 112. No part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 113. At the start of the fiscal year, the Mayor shall develop an annual plan, by quarter and by project, for capital outlay borrowings: *Provided*, That within a reasonable time after the close of each quarter, the Mayor shall report to the Council of the District of Columbia and the Congress the actual borrowings and spending progress compared with projections.

SEC. 114. The Mayor shall not borrow any funds for capital projects unless the Mayor has obtained prior approval from the Council of the District of Columbia, by resolution, identifying the projects and amounts to be financed with such borrowings.

SEC. 115. The Mayor shall not expend any moneys borrowed for capital projects for the operating expenses of the District of Columbia government.

SEC. 116. None of the funds appropriated by this Act may be obligated or expended by reprogramming except pursuant to advance approval of the reprogramming granted according to the procedure set forth in the Joint Explanatory Statement of the Committee of Conference (House Report No. 96-443), which accompanied the District of Columbia Appropriation Act, 1980, approved October 30, 1979 (93 Stat. 713; Public Law 96-93), as modified in House Report No. 98-265, and in accordance with the Reprogramming Policy Act of 1980, effective September 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361 et seq.): *Provided*, That for the fiscal year ending September 30, 1998 the above shall apply except as modified by Public Law 104-8.

SEC. 117. None of the Federal funds provided in this Act shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of the District of Columbia.

SEC. 118. None of the Federal funds provided in this Act shall be obligated or expended to procure passenger automobiles as defined in the Automobile Fuel Efficiency Act of 1980, approved October 10, 1980 (94 Stat. 1824; Public Law 96-425; 15 U.S.C. 2001(2)), with an Environmental Protection Agency estimated miles per gallon average of less than 22 miles per gallon: *Provided*, That this section shall not apply to security, emergency rescue, or armored vehicles.

SEC. 119. (a) Notwithstanding section 422(7) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(7)), the City Administrator shall be paid, during any fiscal year, a salary at a rate established by the Mayor, not to exceed the rate established for Level IV of the Executive Schedule under 5 U.S.C. 5315.

(b) For purposes of applying any provision of law limiting the availability of funds for payment of salary or pay in any fiscal year, the highest rate of pay established by the Mayor under subsection (a) of this section for any position for any period during the last quarter of calendar year 1997 shall be deemed to be the rate of pay payable for that position for September 30, 1997.

(c) Notwithstanding section 4(a) of the District of Columbia Redevelopment Act of 1945, approved August 2, 1946 (60 Stat. 793; Public

Law 79-592; D.C. Code, sec. 5-803(a)), the Board of Directors of the District of Columbia Redevelopment Land Agency shall be paid, during any fiscal year, per diem compensation at a rate established by the Mayor.

SEC. 120. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), enacted pursuant to section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(3)), shall apply with respect to the compensation of District of Columbia employees: *Provided*, That for pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 121. The Director of the Department of Administrative Services may pay rentals and repair, alter, and improve rented premises, without regard to the provisions of section 322 of the Economy Act of 1932 (Public Law 72-212; 40 U.S.C. 278a), based upon a determination by the Director, that by reason of circumstances set forth in such determination, the payment of these rents and the execution of this work, without reference to the limitations of section 322, is advantageous to the District in terms of economy, efficiency, and the District's best interest.

SEC. 122. No later than 30 days after the end of the first quarter of the fiscal year ending September 30, 1998, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia the new fiscal year 1998 revenue estimates as of the end of the first quarter of fiscal year 1998. These estimates shall be used in the budget request for the fiscal year ending September 30, 1999. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 123. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1183.3), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical: *Provided*, That the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and said determination has been reviewed and approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 124. For purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, the term "program, project, and activity" shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be applied to each of the accounts rather than to the aggregate total of those accounts: *Provided*, That sequestration orders shall not be applied to any account that is specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

SEC. 125. In the event a sequestration order is issued pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended, after the amounts appropriated to the District of Co-

lumbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: *Provided*, That the sequestration percentage specified in the order shall be applied proportionately to each of the Federal appropriation accounts in this Act that are not specifically exempted from sequestration by the Balanced Budget and Emergency Deficit Control Act of 1985, approved December 12, 1985 (99 Stat. 1037; Public Law 99-177), as amended.

SEC. 126. Nothing in this Act shall be construed to authorize any office, agency or entity to expend funds for programs or functions for which a reorganization plan is required but has not been approved by the Council pursuant to section 422(12) of the District of Columbia Self-Government and Governmental Reorganization Act of 1973, approved December 24, 1973 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-242(12)) and the Governmental Reorganization Procedures Act of 1981, effective October 17, 1981 (D.C. Law 4-42; D.C. Code, secs. 1-299.1 to 1-299.7). Appropriations made by this Act for such programs or functions are conditioned on the approval by the Council of the required reorganization plans.

SEC. 127. (a) An entity of the District of Columbia government may accept and use a gift or donation during fiscal year 1998 if—

(1) the Mayor approves the acceptance and use of the gift or donation: *Provided*, That the Council of the District of Columbia may accept and use gifts without prior approval by the Mayor; and

(2) the entity uses the gift or donation to carry out its authorized functions or duties.

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a) of this section, and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term "entity of the District of Columbia government" includes an independent agency of the District of Columbia.

(d) This section shall not apply to the District of Columbia Board of Education, which may, pursuant to the laws and regulations of the District of Columbia, accept and use gifts to the public schools without prior approval by the Mayor.

SEC. 128. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979, effective March 10, 1981 (D.C. Law 3-171; D.C. Code, sec. 1-113(d)).

SEC. 129. The University of the District of Columbia shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, and object class, and for all funds, non-appropriated funds, and capital financing;

(2) a breakdown of FTE positions and all employees for the most current pay period broken out on the basis of control center and responsibility center, for all funds, including capital funds;

(3) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and for all funding sources;

(4) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken out on the basis of control center and responsibility center, and contract identifying codes used by the University of the District of Columbia; payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(5) all reprogramming requests and reports that have been made by the University of the District of Columbia within the last month in compliance with applicable law; and

(6) changes made in the last month to the organizational structure of the University of the District of Columbia, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 130. Notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public Schools employees shall be a non-negotiable item for collective bargaining purposes.

SEC. 131. Funds authorized or appropriated to the government of the District of Columbia by this or any other act to procure the necessary hardware and installation of new software, conversion, testing, and training to improve or replace its financial management system are also available for the acquisition of accounting and financial management services and the leasing of necessary hardware, software or any other related goods or services, as determined by the District of Columbia Financial Responsibility and Management Assistance Authority.

SEC. 132. Section 456 of the District of Columbia Self-Government and Governmental Reorganization Act (secs. 47-231 et seq., D.C. Code) is amended—

(1) in subsection (a)(1), by—

(A) striking "1995" and inserting "1998";

(B) striking "Mayor" and inserting "District of Columbia Financial Management and Assistance Authority"; and

(C) striking "Committee on the District of Columbia" and inserting "Committee on Government Reform and Oversight";

(2) in subsection (b)(1), by—

(A) striking "1997" and inserting "1999";

(B) striking "Mayor" and inserting "Authority"; and

(C) striking "Committee on the District of Columbia" and inserting "Committee on Government Reform and Oversight";

(3) in subsection (b)(3), by striking "Committee on the District of Columbia" and inserting "Committee on Government Reform and Oversight";

(4) in subsection (c)(1), by—

(A) striking "1995" and inserting "1997";

(B) striking "Mayor" and inserting "Chief Financial Officer"; and

(C) striking "Committee on the District of Columbia" and inserting "Committee on Government Reform and Oversight";

(5) in subsection (c)(2)(A), by—

(A) striking "1997" and inserting "1999";

(B) striking "Mayor" and inserting "Chief Financial Officer"; and

(C) striking "Committee on the District of Columbia" and inserting "Committee on Government Reform and Oversight";

(6) in subsection (c)(2)(B), by striking "Committee on the District of Columbia"

and inserting "Committee on Government Reform and Oversight"; and

(7) in subsection (d)(1), by—

(A) striking "1994" and inserting "1997";

(B) striking "Mayor" and inserting "Chief Financial Officer"; and

(C) striking "Committee on the District of Columbia" and inserting "Committee on Government Reform and Oversight".

SEC. 133. For purposes of the appointment of the head of a department of the government of the District of Columbia under section 11105(a) of the National Capital Revitalization and Self-Improvement Act of 1997, Public Law 105-33, the following rules shall apply:

(1) After the Mayor notifies the Council under paragraph (1)(A)(ii) of such section of the nomination of an individual for appointment, the Council shall meet to determine whether to confirm or reject the nomination.

(2) If the Council fails to confirm or reject the nomination during the 7-day period described in paragraph (1)(A)(iii) of such section, the Council shall be deemed to have confirmed the nomination.

(3) For purposes of paragraph (1)(B) of such section, if the Council does not confirm a nomination (or is not deemed to have confirmed a nomination) during the 30-day period described in such paragraph, the Mayor shall be deemed to have failed to nominate an individual during such period to fill the vacancy in the position of the head of the department.

SEC. 134. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 135. No funds made available pursuant to any provision of this Act shall be used to implement or enforce any system of registration of unmarried, cohabiting couples whether they are homosexual, lesbian, or heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this Act otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1992.

SEC. 136. The Emergency Transitional Education Board of Trustees shall submit to the Congress, the Mayor, the District of Columbia Financial Responsibility and Management Assistance Authority, and the Council of the District of Columbia no later than fifteen (15) calendar days after the end of each month a report that sets forth—

(1) current month expenditures and obligations, year-to-date expenditures and obligations, and total fiscal year expenditure projections versus budget broken out on the basis of control center, responsibility center, agency reporting code, and object class, and for all funds, including capital financing;

(2) a breakdown of FTE positions and staff for the most current pay period broken out on the basis of control center, responsibility center, and agency reporting code within each responsibility center, for all funds, including capital funds;

(3) a list of each account for which spending is frozen and the amount of funds frozen, broken out by control center, responsibility center, detailed object, and agency reporting code, and for all funding sources;

(4) a list of all active contracts in excess of \$10,000 annually, which contains the name of each contractor; the budget to which the contract is charged broken out on the basis of control center, responsibility center, and agency reporting code; and contract identifying codes used by the D.C. Public Schools;

payments made in the last month and year-to-date, the total amount of the contract and total payments made for the contract and any modifications, extensions, renewals; and specific modifications made to each contract in the last month;

(5) all reprogramming requests and reports that are required to be, and have been, submitted to the Board of Education; and

(6) changes made in the last month to the organizational structure of the D.C. Public Schools, displaying previous and current control centers and responsibility centers, the names of the organizational entities that have been changed, the name of the staff member supervising each entity affected, and the reasons for the structural change.

SEC. 137. (a) IN GENERAL.—The Emergency Transitional Education Board of Trustees of the District of Columbia and the University of the District of Columbia shall annually compile an accurate and verifiable report on the positions and employees in the public school system and the university, respectively. The annual report shall set forth—

(1) the number of validated schedule A positions in the District of Columbia Public Schools and the University of the District of Columbia for fiscal year 1996, fiscal year 1997, and thereafter on a full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the District of Columbia Public Schools and the University of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee actually performs, by control center, responsibility center, agency reporting code, program (including funding source), activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(b) SUBMISSION.—The annual report required by subsection (a) of this section shall be submitted to the Congress, the Mayor, the District of Columbia Council, the Consensus Commission, and the Authority, not later than February 15 of each year.

SEC. 138. (a) No later than October 1, 1997, or within 15 calendar days after the date of the enactment of the District of Columbia Appropriations Act, 1998, whichever occurs later, and each succeeding year, the Emergency Transitional Education Board of Trustees and the University of the District of Columbia shall submit to the appropriate congressional committees, the Mayor, the District of Columbia Council, the Consensus Commission, and the District of Columbia Financial Responsibility and Management Assistance Authority, a revised appropriated funds operating budget for the public school system and the University of the District of Columbia for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures.

(b) The revised budget required by subsection (a) of this section shall be submitted in the format of the budget that the Emergency Transitional Education Board of Trustees and the University of the District of Columbia submit to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia pursuant to section 442 of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301).

SEC. 139. The Emergency Transitional Education Board of Trustees, the Board of Trustees of the University of the District of Columbia, the Board of Library Trustees, and

the Board of Governors of the D.C. School of Law shall vote on and approve their respective annual or revised budgets before submission to the Mayor of the District of Columbia for inclusion in the Mayor's budget submission to the Council of the District of Columbia in accordance with section 442 of the District of Columbia Self-Government and Governmental Reorganization Act, Public Law 93-198, as amended (D.C. Code, sec. 47-301), or before submitting their respective budgets directly to the Council.

**SEC. 140. (a) CEILING ON TOTAL OPERATING EXPENSES.—**

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 1998 under the caption "Division of Expenses" shall not exceed the lesser of—

(A) the sum of the total revenues of the District of Columbia for such fiscal year; or  
(B) \$5,166,304,000 (of which \$129,946,000 shall be from intra-District funds), which amount may be increased by the following:

(i) proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs approved by the District of Columbia Financial Responsibility and Management Assistance Authority; and

(ii) additional expenditures which the Chief Financial Officer of the District of Columbia certifies will produce additional revenues during such fiscal year at least equal to 200 percent of such additional expenditures, and which are approved by the District of Columbia Financial Responsibility and Management Assistance Authority.

(C) to the extent that the sum of the total revenues of the District of Columbia for such fiscal year exceed the total amount provided for in subsection (B) above, the Chief Financial Officer of the District of Columbia, with the approval of the District of Columbia Financial Responsibility and Management Assistance Authority, may credit up to ten percent (10%) of the amount of such difference, not to exceed \$3,300,000, to a reserve fund which may be expended for operating purposes in future fiscal years, in accordance with the financial plans and budgets for such years.

(2) **ENFORCEMENT.**—The Chief Financial Officer of the District of Columbia and the District of Columbia Financial Responsibility and Management Assistance Authority shall take such steps as are necessary to assure that the District of Columbia meets the requirements of this section, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 1998.

**(b) ACCEPTANCE AND USE OF GRANTS NOT INCLUDED IN CEILING.—**

(1) **IN GENERAL.**—Notwithstanding subsection (a), the Mayor in consultation with the Chief Financial Officer of the District of Columbia during a control year, as defined in section 305(4) of Public Law 104-8, as amended, 109 Stat. 152, may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(2) **REQUIREMENT OF CHIEF FINANCIAL OFFICER REPORT AND FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY APPROVAL.**—No such Federal, private, or other grant may be accepted, obligated, or expended pursuant to paragraph (1) until—

(A) the Chief Financial Officer of the District submits to the District of Columbia Financial Responsibility and Management Assistance Authority established by Public Law 104-8 (109 Stat. 97) a report setting forth detailed information regarding such grant; and

(B) the District of Columbia Financial Responsibility and Management Assistance Authority has reviewed and approved the acceptance, obligation, and expenditure of such grant in accordance with review and approval procedures consistent with the provisions of Public Law 104-8, as amended, the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

(3) **PROHIBITION ON SPENDING IN ANTICIPATION OF APPROVAL OR RECEIPT.**—No amount may be obligated or expended from the general fund or other funds of the District government in anticipation of the approval or receipt of a grant under paragraph (2)(B) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such paragraph.

(4) **MONTHLY REPORTS.**—The Chief Financial Officer of the District shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

**SEC. 141.** Section 145(a)(2) of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 882; D.C. Code 1-725(a)(2)) is amended by adding subsections (a)(2)(A) and (a)(2)(B) to read as follows:

“(A) Up to 50 police officers and up to 50 Fire and Emergency Medical Services members who were hired before February 14, 1980, and who retire on disability before the end of calendar year 1998 shall be excluded from the computation of the rate of disability retirements under subsection 145(a) of the District of Columbia Retirement Reform Act of 1979 (93 Stat. 882; D.C. Code, sec. 1-725(a)), for purposes of reducing the authorized Federal payment to the District of Columbia Police Officers and Fire Fighters' Retirement Fund pursuant to subsection 145(c) of the District of Columbia Retirement Reform Act of 1979.

“(B) The Mayor, within 30 days after the enactment of this provision, shall engage an enrolled actuary, to be paid by the District of Columbia Retirement Board, and shall comply with the requirements of section 142(d) and section 144(d) of the District of Columbia Retirement Reform Act of 1979 (Public Law 96-122, approved November 17, 1979; D.C. Code, secs. 1-722(d) and 1-724(d)).”

**SEC. 142.** The District of Columbia Emergency Transitional Education Board of Trustees shall, subject to the contract approval provisions of Public Law 104-8—

(A) develop a comprehensive plan to identify and accomplish energy conservation measures to achieve maximum cost-effective energy and water savings;

(B) enter into innovative financing and contractual mechanisms including, but not limited to, utility demand-side management programs and energy savings performance contracts and water conservation performance contracts: *Provided*, That the terms of such contracts do not exceed twenty-five years; and

(C) permit and encourage each department or agency and other instrumentality of the District of Columbia to participate in programs conducted by any gas, electric or water utility of the management of electricity or gas demand or for energy or water conservation.

**SEC. 143.** The District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 774; D.C. Code, sec. 1-201 et seq.), is amended by adding a new section 445a to read as follows:

**“SEC. 445a. SPECIAL MASTERS' BUDGETS.**

“All Special Masters appointed by the District of Columbia Superior Court or the United States District Court for the District of Columbia Circuit to any agency of the District of Columbia government shall prepare and annually submit to the District of Columbia Financial Responsibility and Management Assistance Authority, for inclusion in the annual budget, annual estimates of expenditures and appropriations. Such annual estimates shall be approved by the District of Columbia Financial Responsibility and Management Assistance Authority and the Council of the District of Columbia pursuant to section 202 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Code, sec. 47-392.2).”

**SEC. 144.** (a) Notwithstanding the provisions of section 12 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056, note) in carrying out the protection of the President and Vice President of the United States, pursuant to section 3056(a) of Title 18 of the United States Code, the Secretary of the Treasury is authorized to reimburse the District of Columbia government for the utilization of law enforcement services, personnel, equipment, and facilities of the District of Columbia in furtherance of such protection. All claims for such reimbursement by the District of Columbia government will be submitted to the Secretary of the Treasury on a quarterly basis.

(b) Section 1537 of Title 31 of the United States Code is repealed.

**SEC. 145.** In addition to amounts appropriated or otherwise made available, \$5,000,000 is hereby appropriated to the National Park Service and shall be available only for the United States Park Police operations in the District of Columbia.

**SEC. 146.** The District government shall maintain for fiscal year 1998 the same funding levels as provided in fiscal year 1997 for homeless services in the District of Columbia.

**SEC. 147.** The District of Columbia Financial Responsibility and Management Assistance Authority and the Chief Executive Officer of the District of Columbia public schools are hereby directed to report to the Appropriations Committees of the Senate and the House of Representatives, the Senate Committee on Governmental Affairs and the Committee on Government Reform and Oversight of the House of Representatives not later than April 1, 1998, on all measures necessary and steps to be taken to ensure that the District's public schools open on time to begin the 1998-99 academic year.

This Act may be cited as the “District of Columbia Appropriations Act, 1998”.

|                       |     |       |      |       |          |
|-----------------------|-----|-------|------|-------|----------|
| It was decided in the | Yea | ..... | 197  |       |          |
|                       |     |       | Nays | ..... | 212      |
|                       |     |       |      |       | negative |

¶116.18

[Roll No. 512]

AYES—197

|              |            |           |
|--------------|------------|-----------|
| Abercrombie  | Boyd       | DeGette   |
| Ackerman     | Brown (CA) | Delahunt  |
| Allen        | Brown (OH) | DeLauro   |
| Andrews      | Capps      | Dellums   |
| Baessler     | Cardin     | Deutscher |
| Barcia       | Carson     | Dicks     |
| Barrett (WI) | Clay       | Dingell   |
| Becerra      | Clayton    | Dixon     |
| Bentsen      | Clyburn    | Doyle     |
| Berry        | Conyers    | Edwards   |
| Bishop       | Costello   | Engel     |
| Blagojevich  | Coyne      | Eshoo     |
| Blumenauer   | Cramer     | Etheridge |
| Boehert      | Cummings   | Evans     |
| Bonior       | Danner     | Farr      |
| Borski       | Davis (FL) | Fattah    |
| Boswell      | Davis (IL) | Fawell    |
| Boucher      | DeFazio    | Fazio     |

|                |               |               |
|----------------|---------------|---------------|
| Filner         | Maloney (CT)  | Rodriguez     |
| Flake          | Maloney (NY)  | Roemer        |
| Foglietta      | Manton        | Rothman       |
| Ford           | Markley       | Roukema       |
| Frank (MA)     | Martinez      | Roybal-Allard |
| Frost          | Mascara       | Rush          |
| Furse          | Matsui        | Sabo          |
| Gedjenson      | McCarthy (NY) | Sanchez       |
| Gephardt       | McDermott     | Sanders       |
| Goode          | McGovern      | Sandlin       |
| Gordon         | McHale        | Sawyer        |
| Green          | McHugh        | Scott         |
| Gutierrez      | McIntyre      | Serrano       |
| Hamilton       | McKinney      | Sherman       |
| Harman         | McNulty       | Sisisky       |
| Hastings (FL)  | Meehan        | Skaggs        |
| Hinchey        | Meek          | Skelton       |
| Hinojosa       | Menendez      | Slaughter     |
| Holden         | Millender-    | Smith, Adam   |
| Hooley         | McDonald      | Snyder        |
| Hoyer          | Minge         | Spratt        |
| Jackson (IL)   | Mink          | Stabenow      |
| Jackson-Lee    | Moakley       | Stark         |
| (TX)           | Mollohan      | Stenholm      |
| Jefferson      | Moran (VA)    | Stokes        |
| John           | Morella       | Strickland    |
| Johnson (CT)   | Murtha        | Stupak        |
| Johnson (WI)   | Nadler        | Tanner        |
| Johnson, E. B. | Neal          | Tauscher      |
| Kanjorski      | Oberstar      | Thompson      |
| Kaptur         | Obey          | Thurman       |
| Kennedy (MA)   | Olver         | Tierney       |
| Kennedy (RI)   | Ortiz         | Towns         |
| Kennelly       | Owens         | Trafficant    |
| Kildee         | Pallone       | Turner        |
| Kilpatrick     | Pascrell      | Velazquez     |
| Kind (WI)      | Pastor        | Vento         |
| Klecza         | Payne         | Visclosky     |
| Klink          | Pelosi        | Waters        |
| Kucinich       | Peterson (MN) | Watt (NC)     |
| LaFalce        | Pickett       | Waxman        |
| Lampson        | Pomeroy       | Wexler        |
| Lantos         | Poshard       | Weygand       |
| Leach          | Price (NC)    | Wise          |
| Levin          | Rahall        | Woolsey       |
| Lewis (GA)     | Ramstad       | Wynn          |
| Lofgren        | Rangel        | Yates         |
| Lowey          | Reyes         |               |
| Luther         | Rivers        |               |

## NOES—212

|              |               |               |
|--------------|---------------|---------------|
| Aderholt     | Diaz-Balart   | Hyde          |
| Archer       | Dickey        | Inglis        |
| Armey        | Doolittle     | Istook        |
| Bachus       | Duncan        | Jenkins       |
| Ballenger    | Dunn          | Johnson, Sam  |
| Barr         | Ehlers        | Jones         |
| Barrett (NE) | Ehrlich       | Kasich        |
| Bartlett     | Emerson       | Kelly         |
| Barton       | English       | Kim           |
| Bass         | Ensign        | King (NY)     |
| Bateman      | Everett       | Kingston      |
| Bereuter     | Ewing         | Klug          |
| Bilbray      | Foley         | Knollenberg   |
| Bilirakis    | Forbes        | Kolbe         |
| Bliley       | Fowler        | LaHood        |
| Blunt        | Fox           | Largent       |
| Boehner      | Franks (NJ)   | Latham        |
| Bonilla      | Frelinghuysen | LaTourette    |
| Bono         | Gallegly      | Lazio         |
| Brady        | Ganske        | Linder        |
| Bryant       | Gekas         | Lipinski      |
| Bunning      | Gibbons       | Livingston    |
| Burr         | Gilchrest     | LoBiondo      |
| Burton       | Gillmor       | Lucas         |
| Callahan     | Gilman        | Manzullo      |
| Calvert      | Gingrich      | McCollum      |
| Camp         | Goodlatte     | McCrery       |
| Campbell     | Goodling      | McDade        |
| Canady       | Goss          | McInnis       |
| Cannon       | Graham        | McIntosh      |
| Castle       | Granger       | McKeon        |
| Chabot       | Greenwood     | Metcalf       |
| Chenoweth    | Gutknecht     | Mica          |
| Christensen  | Hall (TX)     | Miller (FL)   |
| Coble        | Hansen        | Moran (KS)    |
| Coburn       | Hastert       | Myrick        |
| Collins      | Hayworth      | Neumann       |
| Combest      | Hefley        | Ney           |
| Condit       | Herger        | Northup       |
| Cook         | Hill          | Norwood       |
| Cooksey      | Hilleary      | Nussle        |
| Cox          | Hobson        | Oxley         |
| Crane        | Hoekstra      | Packard       |
| Crapo        | Horn          | Pappas        |
| Cubin        | Hostettler    | Parker        |
| Cunningham   | Houghton      | Paul          |
| Davis (VA)   | Hulshof       | Paxon         |
| Deal         | Hunter        | Pease         |
| DeLay        | Hutchinson    | Peterson (PA) |

|              |               |             |
|--------------|---------------|-------------|
| Petri        | Scarborough   | Talent      |
| Pickering    | Schaefer, Dan | Tauzin      |
| Pitts        | Schaffer, Bob | Taylor (MS) |
| Pombo        | Sensenbrenner | Taylor (NC) |
| Porter       | Sessions      | Thomas      |
| Portman      | Shadegg       | Thornberry  |
| Pryce (OH)   | Shaw          | Thune       |
| Quinn        | Shays         | Tiahrt      |
| Radanovich   | Shimkus       | Upton       |
| Redmond      | Shuster       | Walsh       |
| Regula       | Skeen         | Wamp        |
| Riggs        | Smith (MI)    | Watkins     |
| Riley        | Smith (NJ)    | Watts (OK)  |
| Rogan        | Smith (TX)    | Weldon (FL) |
| Rogers       | Smith, Linda  | Weldon (PA) |
| Rohrabacher  | Snowbarger    | Weller      |
| Ros-Lehtinen | Solomon       | White       |
| Royce        | Souder        | Whitfield   |
| Ryun         | Spence        | Wicker      |
| Salmon       | Stearns       | Young (AK)  |
| Sanford      | Stump         | Young (FL)  |
| Saxton       | Sununu        |             |

## ANSWERED "PRESENT"—1

Nethercutt

## NOT VOTING—24

|            |               |               |
|------------|---------------|---------------|
| Baker      | Dooley        | Lewis (KY)    |
| Baldacci   | Dreier        | McCarthy (MO) |
| Berman     | Gonzalez      | Miller (CA)   |
| Brown (FL) | Hall (OH)     | Schiff        |
| Buyer      | Hastings (WA) | Schumer       |
| Chambliss  | Hefner        | Smith (OR)    |
| Clement    | Hilliard      | Torres        |
| Doggett    | Lewis (CA)    | Wolf          |

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. PEASE, assumed the Chair.

When Mr. LAHOOD, Acting Chairman, pursuant to House Resolution 264, reported the bill, as amended pursuant to said resolution, back to the House with a further amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment was considered as adopted by House Resolution 264:

Page 16, line 16, strike "for teachers of teh District of Columbia Public Schools" and insert the following: "for principals and assistant principals of the District of Columbia Public Schools, and for teachers of the Schools".

Page 48, Line 6, insert after "authority" the following: "(other than a personnel authority of an agency which is subject to a management reform plan under subtitle B of title XI of the Balanced Budget Act of 1997)".

Page 50, Line 12, strike "The Mayor" and insert "With respect to agencies which are not subject to a management reform plan under subtitle B of title XI of the Balanced Act of 1997, the Mayor".

Page 50, line 23, strike the closing quotation mark and the second period.

Page 50, add after line 23 the following:

"(m) In the case of an agency which is subject to a management reform plan under subtitle B of title XI of the Balanced Budget Act of 1997, the authority provided by this section shall be exercised to carry out the agency's management reform plan, and this section shall otherwise be implemented solely in a manner consistent with such plan."

Page 56, strike line 21 and all that follows through page 57, line 10 and insert the following:

(c) PROHIBITING USE OF NON-APPROPRIATED FUNDS BY CERTAIN ENTITIES.—

(1) IN GENERAL.— Notwithstanding any other provision of law, the District of Columbia Financial Responsibility and Management Assistance Authority and the District of Columbia Water and Sewer Authority may not obligate or expend any funds during fiscal year 1998 or any succeeding fiscal year without approval by Act of Congress.

(2) REPORT ON EXPENDITURES BY FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.— Not later than November 15, 1997, the District of Columbia Financial Responsibility and Management Assistance Authority shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate the Committee on Government Reform and Oversight of the House, and the Committee on Governmental Affairs of the Senate providing an itemized accounting of all non-appropriated funds obligated or expended by the Authority at any time prior to October 1, 1997. The report shall include information on the date, amount, purpose, and vendor name, and a description of the services or goods provided with respect to the expenditures of such funds.

Page 57, strike lines 22 through 25.

Page 59, line 19, strike "The District" and insert "During a control year, the District".

Page 61, strike line 15 and all that follows through page 62, line 2 (and redesignate the succeeding subsections accordingly).

Page 62, strike lines 3 through 14 (and redesignate the succeeding subsections accordingly).

Page 64, beginning line 2, strike "subparagraphs" and insert "subparagraph".

Page 64, strike lines 4 through 25 and insert the following:

"(C) CONSULTATION WITH CONGRESS.— The Authority or the Mayor (whichever is applicable) may not remove the Chief Financial Officer under this paragraph unless the Authority or the Mayor (as the case may be) has consulted with Congress prior to the removal. Such consultation shall include at a minimum the submission of a written statement to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Government Reform and Oversight of the House of Representatives, and the Committee on Governmental Affairs of the Senate, explaining the factual circumstances involved."

Page 65, strike lines 1 through 12.

Page 67, beginning line 20, strike section 143 and insert the following:

BUDGETS OF DEPARTMENTS OR AGENCIES SUBJECT TO COURT-APPOINTED ADMINISTRATOR

Sec. 143. If a department of agency of the government of the District of Columbia is under the administration of a court-appointed receiver or other court-appointed official during fiscal year 1998 or any succeeding fiscal year, the receiver or official shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia for the year, annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the department or agency. All such estimates shall be forwarded by the Mayor to the Council, for its action pursuant to sections 446 and 603(c) of the District of Columbia Home Rule Act, without revision but subject to the Mayor's recommendations. Notwithstanding any provision of the District of Columbia Home Rule Act, the Council may comment or make recommendations concerning such estimates but shall have no authority under such Act to revise such estimates.

Page 71, line 6, strike "PAY RAISE FOR" and insert "PREMIUM PAY FOR CERTAIN".

Page 71, strike line 23 through page 72, line 13 and insert the following:

SEC. 149. (a) IN GENERAL.—The Council of the District of Columbia shall have no authority to enact any act, resolution, or rule during a fiscal year which increases the amount of payment which may be for any individual under the Temporary Assistance for Needy Families Program to an amount greater than the amount provided under such program under the District of Columbia Public Assistance Act of 1982, as in effect on

the day after the effective date of the Public Assistance Temporary Amendment Act of 1997.

(b) EFFECTIVE DATE.—Subsection shall apply with respect to fiscal year 1998 and each succeeding fiscal year.

Page 72, line 23, strike "property" and insert "commercial property".

Page 72, line 24, strike "past due," and insert "past due in an aggregate amount equal to or greater than \$3,000.".

Page 72, line 25, strike "60" and insert "120".

Page 73, line 4, strike "imposed for the collection of amounts owed to the Authority" and insert "described in subsection (a)".

Page 73, strike line 8 and all that follows through page 74, line 9 and insert the following:

DEEMED APPROVAL OF CONTRACT BY AUTHORITY

SEC. 152. Section 203(b) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Code, sec. 47-392.3(b)), as amended by section 5203(d) of the Omnibus Consolidated Appropriations Act, 1997 (Public Law 104-208; 110 Stat. 3009-1456), is amended—

Page 74, strike lines 14 through 24 and insert the following:

"(5) DEEMED APPROVAL.—

"(A) IN GENERAL.— If the Authority does not notify the Mayor (or the appropriate officer or agent of the District government) that it has determined that a contract or lease submitted under this subsection is consistent with the financial plan and budget or is not consistent with the financial plan and budget during the 30-day period (or, if the Authority meets the requirements of subparagraph (B), such alternative period as the Authority may elect, not to exceed 60 days) which begins on the first day after the Authority receives the contract or lease, the Authority shall be deemed to have determined that the contract or lease is consistent with the financial plan and budget.

"(B) ELECTION OF LONGER PERIOD BY AUTHORITY.— The Authority meets the requirements of this subparagraph if, prior to the expiration of the 30-day period described in subparagraph (A), the Authority provides a notice to the Mayor (or the appropriate officer or agent of the District government) and Congress which describes the period elected by the Authority, together with an explanation of the Authority's decision to elect an alternative period."

Page 75, strike line 24 through page 76, line 2 and insert the following:

(1) A qualified vendor, in accordance with Office of Management and Budget standards, shall update the District of Columbia government's financial management system in use as of October 1, 1996.

Page 79, strike line 25 and all that follows through page 80, line 9 (and redesignate the succeeding subsection accordingly).

Page 80, line 14, strike "subparagraphs" and insert subparagraph".

Page 80, strike line 15 and all that follows through page 81, line 8 and insert the following:

"(G) The Authority or the Mayor (whichever is applicable) may not remove the Inspector General under this paragraph unless the Authority or the Mayor (as the case may be) has consulted with Congress prior to the removal. Such consultation shall include at a minimum the submission of a written statement to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Government Reform and Oversight of the House of Representatives, and the Committee on Governmental Affairs of the Senate, explaining the factual circumstances involved."

Page 82, line 12, strike "during fiscal year 1998 or any succeeding fiscal year" and insert

"after the expiration of the 45-day period which begins on the date of the enactment of this Act".

Page 103, strike line 1 and all that follows through page 104, line 9 and insert the following:

RESTRICTIONS ON BORROWING

SEC. 158. (a) PROHIBITING USE OF BORROWING TO FINANCE OR REFUND ACCUMULATED GENERAL FUND DEFICIT.—None of the funds made available in this Act or in any other Act may be used by the District of Columbia (including the District of Columbia Financial Responsibility and Management Assistance Authority) at any time, before, on, or after the date of the enactment of this Act to obtain borrowing to finance or refund the accumulated general fund deficit of the District of Columbia existing as of September 30, 1997.

Page 104, beginning line 10, strike subsection (b) and insert the following:

(b) RESTRICTIONS ON USE OF FUNDS FOR DEBT RESTRUCTURING.— None of the funds made available in this Act or in any other Act may be used by the District of Columbia (including the District of Columbia Financial Responsibility and Management Assistance Authority) during fiscal year 1998 or any succeeding fiscal year to obtain borrowing (including borrowing through the issuance of any bonds, notes, or other obligations) to repay any other borrowing of funds or issuance of bonds, notes, or other obligations unless—

(1) the aggregate cost to the District of the new borrowing or issuance does not exceed the aggregate cost of the original borrowing or issuance; and

(2) the date provided for the final repayment of the new borrowing or issuance is not later than the date provided for the final repayment of the original borrowing or issuance.

Page 105, strike lines 7 through 18 and insert the following:

(c) PROHIBITING USE OF FUNDS FOR PRIVATE BOND SALES.— None of the funds made available in this Act or in any other Act may be used by the District of Columbia (including the District of Columbia Financial Responsibility and Management Assistance Authority) during fiscal year 1998 or any succeeding fiscal year to sell any bonds at a private sale.

Page 105, add after line 23 the following new section (and redesignate the succeeding section accordingly):

INDEPENDENCE IN CONTRACTING FOR CHIEF FINANCIAL OFFICER AND INSPECTOR GENERAL

SEC 160. (a) IN GENERAL.— Notwithstanding any other provision of law, neither the Mayor of the District of Columbia or the District of Columbia Financial Responsibility and Management Assistance Authority may enter into any contract with respect to any authority of activity under the jurisdiction of the Chief Financial Officer or Inspector General of the District of Columbia without the consent and approval of the Chief Financial Officer or Inspector General (as the case may be).

(b) EFFECT ON OTHER POWERS AND DUTIES OF AUTHORITY.— Nothing in this section may be construed—

(1) to affect the ability of the District of Columbia Financial Responsibility and Management Assistance Authority to remove the Chief Financial Officer or Inspector General of the District of Columbia from office during a control year (as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995); or

(2) to exempt any contracts entered into by the Chief Financial Officer or Inspector General from review by the Authority under section 203(b) of such Act.

Page 112, insert after line 7 the following:

(h) REPEAL OF PRIOR NOTICE REQUIREMENT FOR FEDERAL ACTIVITIES AFFECTING REAL PROPERTY IN DISTRICT OF COLUMBIA.— Effective October 1, 1997, the Balanced Budget Act of 1997 (Public Law 105-33) is amended by striking section 11715.

Page 174, line 1, strike "any requirements contained in the document" and insert "any statutory requirements referred to under the headings 'Davis-Bacon Act' and 'Copeland Act' in the document".

Page 177, line 3, strike "as of January 31, 1998," and insert "at its midyear meeting in February 1998,".

The following further amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Page 173, strike line 21 and all that follows through page 174, line 9 (and redesignate the succeeding sections accordingly).

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. MORAN moved to recommit the bill to the Committee on Appropriations.

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, viva voce,

Will the House recommit said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that the nays had it.

So the motion to recommit was not agreed to.

The question being put,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

|   |   |                  |     |
|---|---|------------------|-----|
| It was decided in the affirmative ..... | { | Yeas .....       | 203 |
|   |   | Nays .....       | 202 |
|   |   | Answered present | 1   |

¶116.19

[Roll No. 513]

YEAS—203

|              |               |              |
|--------------|---------------|--------------|
| Aderholt     | Cooksey       | Goss         |
| Archer       | Cox           | Graham       |
| Armey        | Crane         | Granger      |
| Bachus       | Crapo         | Greenwood    |
| Ballenger    | Cubin         | Gutknecht    |
| Barr         | Cunningham    | Hansen       |
| Barrett (NE) | Davis (VA)    | Hastert      |
| Bartlett     | Deal          | Hayworth     |
| Bass         | DeLay         | Hefley       |
| Bateman      | Diaz-Balart   | Herger       |
| Bereuter     | Dickey        | Hill         |
| Billray      | Doolittle     | Hilleary     |
| Bilirakis    | Dunn          | Hobson       |
| Bliley       | Ehlers        | Hoekstra     |
| Blunt        | Ehrlich       | Horn         |
| Boehner      | Emerson       | Hostettler   |
| Bonilla      | English       | Houghton     |
| Bono         | Ensign        | Hulshof      |
| Brady        | Everett       | Hunter       |
| Bryant       | Ewing         | Hyde         |
| Bunning      | Fawell        | Inglis       |
| Burr         | Foley         | Istook       |
| Burton       | Forbes        | Jenkins      |
| Callahan     | Fowler        | Johnson (CT) |
| Calvert      | Fox           | Johnson, Sam |
| Camp         | Frelinghuysen | Jones        |
| Canady       | Galleghy      | Kasich       |
| Cannon       | Ganske        | Kelly        |
| Chabot       | Gekas         | Kim          |
| Chenoweth    | Gibbons       | King (NY)    |
| Christensen  | Gilchrest     | Kingston     |
| Coble        | Gillmor       | Klug         |
| Coburn       | Gilman        | Knollenberg  |
| Collins      | Gingrich      | Kolbe        |
| Combest      | Goodlatte     | LaHood       |
| Cook         | Goodling      | Largent      |

Latham  
LaTourette  
Lazio  
Linder  
Livingston  
Lucas  
Manzullo  
McCollum  
McCrery  
McDade  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Miller (FL)  
Moran (KS)  
Myrick  
Nethercutt  
Neumann  
Ney  
Northup  
Norwood  
Nussle  
Oxley  
Packard  
Pappas  
Parker  
Paxon  
Pease  
Peterson (PA)  
Petri

Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Shuster  
Skeen

Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Tiahrt  
Upton  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Young (AK)  
Young (FL)

Wexler  
Weygand

Wise  
Woolsey

Wynn  
Yates

## ANSWERED "PRESENT"—1

## NOT VOTING—28

Baker  
Baldacci  
Barton  
Berman  
Brown (FL)  
Buyer  
Chambliss  
Clement  
Doggett  
Dooley

Dreier  
Edwards  
Gejdenson  
Gonzalez  
Hall (OH)  
Hastings (WA)  
Hefner  
Hilliard  
Lewis (CA)  
Lewis (KY)

McCarthy (MO)  
McHugh  
Miller (CA)  
Schiff  
Schumer  
Smith (OR)  
Torres  
Wolf

So the bill was passed.

The SPEAKER, having voted on the prevailing side, put the question on the motion to reconsider the vote whereby the bill was passed.

Mr. HANSEN moved to lay on the table the motion to reconsider the vote.

The question being put, viva voce,

Will the House lay on the table the motion to reconsider said vote?

The SPEAKER announced that the yeas had it.

Mr. FRANK of Massachusetts demanded a recorded vote on the motion to table the motion to reconsider, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 162  
affirmative ..... { Nays ..... 135

Thomas  
Thornberry  
Thune  
Tiahrt  
Traficant

Upton  
Walsh  
Watkins  
Weldon (FL)  
Weldon (PA)

Weller  
White  
Whitfield  
Young (AK)  
Young (FL)

## NOES—135

Abercrombie  
Allen  
Andrews  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Bishop  
Blumenauer  
Bonior  
Boucher  
Boyd  
Brown (CA)  
Brown (OH)  
Capps  
Cardin  
Carson  
Clayton  
Condit  
Conyers  
Coyne  
Cramer  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dellums  
Dingell  
Dixon  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Flake  
Frank (MA)  
Frost  
Furse

Gephardt  
Goode  
Gordon  
Green  
Hamilton  
Hinojosa  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Levin  
Lewis (GA)  
Lofgren  
Lowey  
Maloney (NY)  
Manton  
Markley  
Matsui  
McGovern  
McHale  
McIntyre  
McKinney  
McNulty  
Meek  
Millender  
McDonald  
Minge  
Mink  
Moakley  
Mollohan  
Moran (VA)  
Nadler

Obey  
Ortiz  
Pallone  
Pascarell  
Payne  
Pelosi  
Peterson (MN)  
Pickett  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rivers  
Rodriguez  
Roemer  
Roybal-Allard  
Sabo  
Sanchez  
Sanders  
Santolin  
Scott  
Serrano  
Sherman  
Skaggs  
Slaughter  
Smith, Adam  
Spratt  
Stabenow  
Stenholm  
Stokes  
Strickland  
Stupak  
Taylor (MS)  
Thurman  
Towns  
Turner  
Visclosky  
Waters  
Watt (NC)  
Waxman  
Wexler  
Weygand  
Wise  
Woolsey  
Wynn

## NOT VOTING—136

Abercrombie  
Ackerman  
Allen  
Andrews  
Baesler  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Boehlert  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brown (CA)  
Brown (OH)  
Campbell  
Capps  
Cardin  
Carson  
Castle  
Clay  
Clayton  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell  
Dixon  
Doyle  
Duncan  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Franks (NJ)  
Frost  
Furse  
Gephardt  
Goode

## NAYS—202

Gordon  
Green  
Gutierrez  
Hall (TX)  
Hamilton  
Harman  
Hastings (FL)  
Hinche  
Hinojosa  
Holden  
Hooley  
Hoyer  
Hutchinson  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Leach  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Martinez  
Masara  
Matsui  
McCarthy (NY)  
McDermott  
McGovern  
McHale  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Millender-  
McDonald  
Minge  
Mink  
Moakley  
Mollohan  
Moran (VA)

Morella  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pascarell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Pickett  
Pomeroy  
Poshard  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Reyes  
Rivers  
Rodriguez  
Roemer  
Rothman  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Santolin  
Sawyer  
Scott  
Serrano  
Sherman  
Sisisky  
Skaggs  
Skelton  
Slaughter  
Smith, Adam  
Snyder  
Spratt  
Stabenow  
Stark  
Stenholm  
Stokes  
Strickland  
Stupak  
Tanner  
Tauscher  
Taylor (MS)  
Thompson  
Thurman  
Tierney  
Towns  
Traficant  
Turner  
Velazquez  
Vento  
Visclosky  
Waters  
Watt (NC)  
Waxman

## 116.20

## [Roll No. 514]

## AYES—162

Aderholt  
Archer  
Armey  
Bachus  
Balleger  
Barr  
Bartlett  
Bateman  
Bereuter  
Billbray  
Bilirakis  
Bileley  
Boehlert  
Brady  
Bunning  
Burr  
Burton  
Camp  
Campbell  
Canady  
Castle  
Chenoweth  
Christensen  
Collins  
Combest  
Cook  
Cox  
Crane  
Crapo  
Cubin  
Cunningham  
Davis (VA)  
DeLay  
Dickey  
Doolittle  
Dunn  
Ehlers  
Ehrlich  
English  
Ensign  
Fawell  
Foley  
Fox  
Franks (NJ)  
Gibbons  
Gilchrest  
Gillmor  
Gillman  
Goss

Granger  
Greenwood  
Gutknecht  
Hansen  
Hastert  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hobson  
Hoekstra  
Horn  
Hostettler  
Houghton  
Hulshof  
Hunter  
Hutchinson  
Ingalls  
Istook  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kim  
King (NY)  
Klug  
Knollenberg  
Kolbe  
LaHood  
Latham  
Lazio  
Leach  
Linder  
Livingston  
LoBiondo  
Lucas  
Manzullo  
McCrery  
McInnis  
McIntosh  
Solomon  
Souder  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (NC)

Oxley  
Pappas  
Paul  
Paxon  
Pease  
Peterson (PA)  
Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rohrabacher  
Roukema  
Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (NC)

Vento Watts (OK) Wolf  
Wamp Wicker Yates

So the motion to lay on the table the motion to reconsider the vote was agreed to.

*Ordered.* That the Clerk request the concurrence of the Senate in said bill.

#### ¶116.21 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 169. Concurrent resolution providing for an adjournment of the two Houses.

The message also announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2158) "An Act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes."

The message also announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2169) "An Act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes."

#### ¶116.22 DESIGNATION OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

WASHINGTON, DC,  
October 9, 1997.

I hereby designate the Honorable CONSTANCE A. MORELLA to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Tuesday, October 21, 1997.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

By unanimous consent, the designation was accepted.

#### ¶116.23 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. PEASE, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 8, 1997.  
Hon. ALEXANDER TREADWELL,  
Secretary of State  
Albany, NY.

DEAR SECRETARY TREADWELL: After considering the needs of my constituents and the short time remaining in this session, I intend to remain in Congress at least until our legislative business is completed.

I have reviewed section 31 of the Public Officers law, and I understand that my retirement announcement to the Governor on August 4, 1997 was an erroneous interpretation of the statutory requirements for resignations. Therefore, it is also my belief that, ac-

cording to section 31, any record of my resignation is not effective since I have never directly notified your office of my plans. I will, however, inform you of my plans at the appropriate time, which in this case will be no more than thirty days prior to my resignation.

If there are any questions regarding my plans, please feel free to contact me, or Sean Peterson, my Chief of Staff.

With warmest regards, I am

Sincerely,

FLOYD H. FLAKE,  
*Member of Congress.*

#### ¶116.24 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. FOLEY, by unanimous consent,

*Ordered.* That business in order for consideration on Wednesday, October 22, 1997, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

#### ¶116.25 SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. FOLEY, by unanimous consent,

*Ordered.* That, notwithstanding any adjournment of the House until Tuesday, October 21, 1997, the Speaker, Majority Leader and Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

#### ¶116.26 EXTENSION OF REMARKS

On motion of Mr. FOLEY, by unanimous consent,

*Ordered.* That for today, all Members be permitted to extend their remarks and include extraneous material in that section of the Congressional Record entitled "Extension of Remarks".

#### ¶116.27 BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 1122: An Act to amend title 18, United States Code, to ban partial-birth abortions.

#### ¶116.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HASTINGS of Washington for today after 2 p.m.

And then,

#### ¶116.29 ADJOURNMENT

On motion of Mr. OWENS, pursuant to the provisions of House Concurrent Resolution 169, at 9 o'clock and 15 minutes p.m., the House adjourned until 10:30 a.m. on Tuesday, October 21, 1997.

#### ¶116.30 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DIAZ-BALART: Committee on Rules. House Resolution 265. Resolution providing

for consideration of the bill (H.R. 2204) to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes (Rept. No. 105-317). Referred to the House Calendar.

Mr. ARCHER: Committee on Ways and Means. H.R. 2513. A bill to amend the Internal Revenue Code of 1986 to restore and modify the provision of the Taxpayer Relief Act of 1997 relating to exempting active financing income from foreign personal holding company income and to provide for the non-recognition of gain on the sale of stock in agricultural processors to certain farmers' cooperatives; with an amendment (Rept. No. 105-318 Pt. 1). Ordered to be printed.

Mr. STUMP: Committee on Veterans' Affairs. S. 923. An act to deny veterans benefits to persons convicted of Federal capital offenses; with amendments (Rept. No. 105-319). Referred to the Committee of the Whole House on the State of the Union.

Mr. STUMP: Committee on Veterans' Affairs. H.R. 2367. A bill to increase, effective as of December 1, 1997, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans (Rept. No. 105-320). Referred to the Committee of the Whole House on the State of the Union.

#### ¶116.31 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ARCHER (for himself and Mr. CRANE):

H.R. 2644. A bill to provide to beneficiary countries under the Caribbean Basin Economic Recovery Act benefits equivalent to those provided under the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mr. ARCHER (for himself and Mr. RANGEL):

H.R. 2645. A bill to make technical corrections related to the Taxpayer Relief Act of 1997 and certain other tax legislation; to the Committee on Ways and Means.

By Mr. ARCHER (for himself and Mr. GINGRICH):

H.R. 2646. A bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; to the Committee on Ways and Means.

By Mrs. FOWLER (for herself, Mr. COX of California, Mr. GIBBONS, Mr. GILMAN, Mr. HUNTER, Mr. HYDE, Mr. SAM JOHNSON, Mr. MCINTOSH, Mr. MARKEY, Ms. PELOSI, Mr. ROHRBACHER, Mr. ROYCE, Mr. SHADEGG, Mr. SMITH of New Jersey, Mr. SOLOMON, Mr. SPENCE, and Mr. WOLF):

H.R. 2647. A bill to ensure that commercial activities of the People's Liberation Army of China or any Communist Chinese military company in the United States are monitored and are subject to the authorities under the International Emergency Economic Powers Act; to the Committee on International Relations.

By Mr. BACHUS (for himself, Mr. RILEY, Mr. KING of New York, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, Mr. WATTS of Oklahoma, Mr. LARGENT, Mr. COOKSEY, and Mr. ADERHOLT):

H.R. 2648. A bill to amend title 18, United States Code, to make illegal all private possession of child pornography; to the Committee on the Judiciary.



By Mr. SKAGGS:

H.R. 2649. A bill to repeal the Line Item Veto Act and to amend the Congressional Budget and Impoundment Control Act to provide for the expedited consideration of certain proposed rescissions of budget authority; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKAGGS:

H.R. 2650. A bill to repeal the Line Item Veto Act of 1996; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEFAZIO (for himself, Mr. FILLNER, Ms. KAPTUR, Mr. BONIOR, Mr. LIPINSKI, Mr. MILLER of California, Mr. SANDERS, Mr. DELLUMS, Mr. STARK, Mr. PASCRELL, Mr. TIERNEY, Mr. COSTELLO, Mr. HINCHEY, Ms. SLAUGHTER, Mr. BROWN of Ohio, Mr. ABERCROMBIE, Mr. EVANS, Ms. WATERS, Mr. STUPAK, Mr. PALLONE, Mr. BALDACC, Mr. DELAHUNT, and Ms. DELAURO):

H.R. 2651. A bill to establish an Emergency Commission To End the Trade Deficit; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 2652. A bill to amend title 17, United States Code, to prevent the misappropriation of collections of information; to the Committee on the Judiciary.

By Mr. COOKSEY:

H.R. 2653. A bill to direct the Director of the United States Fish and Wildlife Service to conduct a study of the feasibility of establishing a national recreational fishing license; to the Committee on Resources.

By Mr. GREENWOOD:

H.R. 2654. A bill to amend the Solid Waste Disposal Act to permit States and political subdivisions to control the disposal of out-of-State municipal solid waste within their boundaries; to the Committee on Commerce.

By Mr. HOEKSTRA (for himself, Mr. NORWOOD, Mr. MCKEON, Mr. GREENWOOD, Mrs. EMERSON, Mr. MCINTOSH, Mr. BOEHNER, Mr. WICKER, Mr. BALLENGER, Mr. TALENT, Mr. BUYER, Mr. SAM JOHNSON, Mr. HILLEARY, Mr. PITTS, Mr. KNOLLENBERG, Mr. PETRI, Mr. BARRETT of Nebraska, Mr. HOSTETTLER, Mr. HASTINGS of Washington, Mr. GRAHAM, Mr. SCARBOROUGH, and Mr. BURTON of Indiana):

H.R. 2655. A bill to repeal certain Federal education programs; to the Committee on Education and the Workforce.

By Mr. HOEKSTRA:

H.R. 2656. A bill to prohibit Federal funding for the election of officers and trustees of the International Brotherhood of Teamsters; to the Committee on Education and the Workforce.

By Mr. SAM JOHNSON (for himself, Mr. HERGER, Mr. CHRISTENSEN, Mr. HOUGHTON, Mr. RAMSTAD, Ms. DUNN of Washington, Mr. ENGLISH of Pennsylvania, Mr. WELLER, and Mr. HAYWORTH):

H.R. 2657. A bill to amend the Internal Revenue Code of 1986 to prohibit the summons and examination of source codes for third-party computer programs and the disclosure of executable computer software obtained by the Internal Revenue Service; to the Committee on Ways and Means.

By Mr. KINGSTON (for himself, Mr. McNULTY, and Mr. RAMSTAD):

H.R. 2658. A bill to amend the Internal Revenue Code of 1986 to prohibit the Internal Revenue Service from using the threat of

audit to compel agreement with the Tip Reporting Alternative Commitment or the Tip Rate Determination Agreement; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia:

H.R. 2659. A bill to prohibit non-emergency take-off and landing at the Fulton County Airport, Brown Field, located in Atlanta, Georgia, when the airport's tower is closed; to the Committee on Transportation and Infrastructure.

By Mr. LEWIS of Georgia (for himself, Ms. CARSON, Mr. LEACH, Mr. DELLUMS, Mr. PAYNE, Ms. FURSE, Mr. TOWNS, Ms. PELOSI, Mr. FRANK of Massachusetts, Mr. CONYERS, Mr. OBERSTAR, Ms. RIVERS, Mr. BROWN of California, Mr. DEFAZIO, Mr. MARKEY, Mr. OWENS, and Mr. HINCHEY):

H.R. 2660. A bill to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for non-military purposes, to create the Religious Freedom Peace Tax Fund to receive such tax payments, to improve revenue collection, and for other purposes; to the Committee on Ways and Means.

By Mr. MCINNIS (for himself, Mr. BAESLER, Mr. BONILLA, Mr. BOYD, Mr. BUNNING of Kentucky, Mr. COOKSEY, Mr. CUNNINGHAM, Mr. LINDER, Mrs. MORELLA, Mrs. NORTHUP, Mr. PETERSON of Pennsylvania, Ms. PRYCE of Ohio, Mr. BOB SCHAFFER, Mr. SNOWBARGER, and Mr. WICKER):

H.R. 2661. A bill to establish peer review for the review of standards promulgated under the Occupational Safety and Health Act of 1970; to the Committee on Education and the Workforce.

By Mr. MENENDEZ (for himself, Mr. STARK, Mrs. MALONEY of New York, Ms. KILPATRICK, Mr. GREEN, and Ms. LOFGREN):

H.R. 2662. A bill to amend the Truth in Lending Act to prevent credit card issuers from advertising and offering one type of credit card and then issuing another type of credit card without the informed consent of the consumer, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. METCALF:

H.R. 2663. A bill to provide technical corrections to the Native American Housing Assistance and Self-Determination Act of 1996, to improve the delivery of housing assistance to Indian tribes in a manner that recognizes the right of tribal self-governance, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. PALLONE (for himself, Mr. MEEHAN, Mr. MCDERMOTT, Mr. KLUG, Mr. FILNER, Ms. LOFGREN, Mr. PETRI, Mr. BROWN of Ohio, Mr. FROST, Mr. McNULTY, Mr. WEXLER, and Ms. FURSE):

H.R. 2664. A bill to amend the Immigration and Nationality Act to permit the admission to the United States of nonimmigrant students and visitors who are the spouses and children of United States permanent resident aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. PASTOR (for himself, Mr. KILDEE, Mr. MARTINEZ, Mr. TOWNS, Mr. FROST, Mrs. MINK of Hawaii, Mr. HAYWORTH, Ms. ROYBAL-ALLARD, and Mr. KENNEDY of Rhode Island):

H.R. 2665. A bill to improve Indian reservation roads and related transportation services, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. ROS-LEHTINEN:

H.R. 2666. A bill to provide for adjustment of status of certain Nicaraguans; to the Committee on the Judiciary.

By Mr. ROYCE (for himself, Mr. KASICH, Mr. TAUZIN, Mr. ARMEY, Mr. BASS, Mr. BOEHNER, Mr. BONO, Mrs. CHENOWETH, Mr. COBURN, Mr. CRANE, Mr. EHRLICH, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HILLEARY, Mr. HOBSON, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. INGLIS of South Carolina, Mr. KINGSTON, Mr. KLUG, Mr. LARGENT, Mr. LIVINGSTON, Mr. MILLER of Florida, Mrs. MYRICK, Mr. NEUMANN, Mr. NUSSLE, Mr. PARKER, Mr. PAUL, Mr. PITTS, Mr. RADANOVICH, Mr. ROHRBACHER, Mr. RYUN, Mr. SANFORD, Mr. SCARBOROUGH, Mr. SHADEGG, Mr. SOLOMON, Mr. STEARNS, Mr. SUNUNU, Mr. TALENT, Mr. THORNBERRY, Mr. TIAHRT, and Mr. WELDON of Florida):

H.R. 2667. A bill to dismantle the Department of Commerce; to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure, Banking and Financial Services, International Relations, National Security, Agriculture, Ways and Means, Government Reform and Oversight, the Judiciary, Science, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON (for himself, Mr. STUMP, Mr. HAYWORTH, Mr. SHADEGG, Mr. GOSS, Mrs. KELLY, Mr. FOLEY, Mr. COBURN, Mr. CAMPBELL, Mr. PAUL, Mr. MCCREERY, Mr. SESSIONS, Mr. ROYCE, Mr. PAPPAS, Mr. MCINTOSH, Mr. ENSIGN, Mr. HOEKSTRA, Mr. TALENT, Mr. HASTERT, Mr. SENSENBRENNER, and Mr. SOUDER):

H.R. 2668. A bill to amend title XVIII of the Social Security Act to remove the sunset and numerical limitation on Medicare participation in Medicare+Choice medical savings account (MSA) plans; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANFORD:

H.R. 2669. A bill to amend the Social Security Act to provide simplified and accurate information on the Social Security trust funds, and personal earnings and benefit estimates to eligible individuals; to the Committee on Ways and Means.

By Mr. SEXTON (for himself and Mr. PALLONE):

H.R. 2670. A bill to amend the Federal Water Pollution Control Act to permit grants for the national estuary program to be used for the development and implementation of a comprehensive conservation and management plan, to reauthorize appropriations to carry out the program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of New Jersey (for himself, Mr. STEARNS, Mr. WELDON of Florida, Mr. KENNEDY of Rhode Island, Mr. FOLEY, and Mr. CAMPBELL):

H.R. 2671. A bill to amend title XVIII of the Social Security Act to assure payment for ultrasonic nebulizers as items of durable medical equipment under the Medicare Program; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WISE:

H.R. 2672. A bill to amend the Higher Education Act of 1965 to prevent Federal student assistance need analysis from penalizing parents for investing in prepaid tuition programs; to the Committee on Education and the Workforce.

By Ms. MILLENDER-MCDONALD:

H.R. 2673. A bill to ensure the safety of children in regard to firearms; to the Committee on the Judiciary.

By Mr. DAVIS of Virginia (for himself, Mr. WYNN, and Mrs. MORELLA):

H.J. Res. 96. A joint resolution granting the consent and approval of Congress for the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact; to the Committee on the Judiciary.

By Mr. CRANE (for himself, Mr. STUMP, Mr. HOSTETTLER, Mr. BARR of Georgia, Mr. GIBBONS, and Mr. SNOWBARGER):

H. Con. Res. 170. Concurrent resolution expressing the sense of the Congress that the President should seek to negotiate a new base rights agreement with the Government of Panama to permit the United States Armed Forces to remain in Panama beyond December 31, 1999, and to permit the United States to act independently to continue to protect the Panama Canal and to guarantee its regular operation; to the Committee on International Relations.

By Mr. MOAKLEY:

H. Res. 266. A resolution recognizing and congratulating Northeastern University on its one-hundredth anniversary; to the Committee on Education and the Workforce.

By Mr. PAPPAS (for himself, Mr. ENSIGN, Mr. PORTMAN, Mr. HASTERT, Mr. BARRETT of Nebraska, Mrs. LINDA SMITH of Washington, Mr. WATTS of Oklahoma, Mr. REDMOND, Mrs. CHENOWETH, Mr. HYDE, Mr. RILEY, Mr. HALL of Texas, Mr. SUNUNU, and Mr. HUTCHINSON):

H. Res. 267. A resolution expressing the sense of the House of Representatives that the citizens of the United States must remain committed to combat the distribution, sale, and use of illegal drugs by the Nation's youth; to the Committee on Education and the Workforce.

By Mr. PAXON (for himself, Mr. MCHUGH, Mr. KNOLLENBERG, Mr. HOSTETTLER, Mr. EWING, Mr. NEUMANN, Mr. HERGER, Mrs. EMERSON, and Mr. THORNBERRY):

H. Res. 268. A resolution expressing the sense of the House of Representatives that no new energy taxes or fees should be imposed on the American public for the purposes of complying with the global warming treaty; to the Committee on Ways and Means.

## ¶116.32 PRIVATE BILLS AND RESOLUTIONS

### Under clause 1 of rule XXII,

Mr. GEJDENSON introduced a bill (H.R. 2674) to authorize issuance of a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA; which was referred to the Committee on Transportation and Infrastructure.

## ¶116.33 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 27: Mr. LAHOOD.

H.R. 44: Mr. KILDEE, Mr. HINCHEY, Mr. OLVER, and Mr. DAVIS of Virginia.

H.R. 100: Mr. REYES.

H.R. 158: Mr. STUPAK.

H.R. 303: Mr. TURNER.

H.R. 339: Mr. SHIMKUS.

H.R. 404: Mr. TORRES and Mr. ROTHMAN.

H.R. 414: Mr. CRAPO.

H.R. 465: Mr. BLILEY.

H.R. 536: Ms. LOFGREN.

H.R. 746: Mr. HASTERT.

H.R. 754: Mr. SMITH of New Jersey.

H.R. 758: Mr. REDMON and Mr. CHABOT.

H.R. 789: Mr. LUCAS of Oklahoma.

H.R. 805: Mr. BARTON of Texas.

H.R. 815: Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. MOAKLEY, Mr. ANDREWS, Mr. DOOLEY of California, and Mr. DAN SCHAEFER of Colorado.

H.R. 859: Mr. THORNBERRY.

H.R. 883: Mr. LUCAS of Oklahoma.

H.R. 939: Mr. HOLDEN.

H.R. 965: Mr. BONO, Mr. COLLINS, and Mr. SALMON.

H.R. 981: Mr. GUTIERREZ.

H.R. 983: Mr. BARRETT of Wisconsin and Mr. GUTIERREZ.

H.R. 991: Mr. ROTHMAN.

H.R. 1018: Mr. KILDEE.

H.R. 1025: Mr. SHERMAN.

H.R. 1054: Mr. LEWIS of California, Mr. SESSIONS, Mr. BURTON of Indiana, Mr. SPRATT, Mr. FARR of California, Mr. CALLAHAN, Mrs. TAUSCHER, Mr. RADANOVICH, Mrs. MORELLA, and Mr. MOAKLEY.

H.R. 1063: Ms. SLAUGHTER, Ms. DELAURO, Mr. BURTON of Indiana, Mr. HEFLEY, Mr. WAMP, Ms. DUNN of Washington, and Mr. HALL of Ohio.

H.R. 1070: Ms. HARMAN and Mr. MATSUI.

H.R. 1071: Mr. BROWN of California.

H.R. 1114: Mr. ETHERIDGE.

H.R. 1151: Mr. SERRANO, Ms. WOOLSEY, and Mr. COSTELLO.

H.R. 1234: Mr. DELLUMS, Ms. BROWN of Florida, Mr. GUTIERREZ, Mr. JEFFERSON, and Ms. VELAZQUEZ.

H.R. 1289: Mr. FOX of Pennsylvania.

H.R. 1371: Mr. SMITH of Michigan.

H.R. 1378: Mr. CHABOT, Mr. WELDON of Florida, and Mr. LARGENT.

H.R. 1415: Mr. MARTINEZ, Mr. BOYD, Mr. CLYBURN, Ms. STABENOW, Mr. LOBIONDO, Mr. EWING, and Mr. BUNNING of Kentucky.

H.R. 1441: Mrs. EMERSON.

H.R. 1534: Mr. BURR of North Carolina and Mr. TAYLOR of Mississippi.

H.R. 1565: Mr. NEY, Mr. BAKER, and Mr. EVANS.

H.R. 1586: Mr. DEFazio.

H.R. 1595: Mr. BLILEY and Mr. HOBSON.

H.R. 1608: Mr. KUCINICH, Mr. SPENCE, Mr. TAYLOR of Mississippi, Mrs. THURMAN, and Mr. BOB SCHAEFFER.

H.R. 1614: Mr. SCHUMER.

H.R. 1625: Mr. WAMP, Mr. SMITH of Michigan, Mr. SMITH of Oregon, Mr. SMITH of Texas, Mr. FOX of Pennsylvania, Mr. UPTON, Mr. CHRISTENSEN, Mr. PITTS, Mr. GANSKE, Mr. JONES, Mr. HANSEN, Mr. STUMP, Mr. BUNNING of Kentucky, Mr. TAUZIN, Mr. BAKER, Mr. SHUSTER, Mr. EHRLICH, Mr. COBLE, Mr. OXLEY, and Mr. HYDE.

H.R. 1679: Mrs. KENNELLY of Connecticut.

H.R. 1689: Mr. ADAM SMITH of Washington, Mr. FRELINGHUYSEN, and Mr. FORBES.

H.R. 1697: Mr. ENGLISH of Pennsylvania, Mr. BARCIA of Michigan, Mr. FRANK of Massachusetts, Mr. DOYLE, and Mr. DELLUMS.

H.R. 1735: Mr. FROST.

H.R. 1737: Ms. WOOLSEY, Mr. BARRETT of Wisconsin, Mr. EVANS, Mr. MEEHAN, and Mrs. MORELLA.

H.R. 1741: Mr. THORNBERRY.

H.R. 1753: Mr. GRAHAM.

H.R. 1763: Mr. GILMAN and Mrs. LOWEY.

H.R. 1872: Mr. FOLEY, Mr. DAVIS of Florida, and Mr. LARGENT.

H.R. 1891: Mr. BUNNING of Kentucky, Mr. CRAMER, Mr. ENGLISH of Pennsylvania, Mr. HOUGHTON, Mr. HOLDEN, Mr. MCCRERY, Mr. NETHERCUTT, and Mr. HERGER.

H.R. 1913: Mr. TURNER.

H.R. 2185: Mr. MCGOVERN.

H.R. 2202: Mr. BILBRAY and Mr. CHRISTENSEN.

H.R. 2221: Mr. STUMP.

H.R. 2224: Mr. LIPINSKI and Mr. LANTOS.

H.R. 2253: Mr. FARR of California.

H.R. 2273: Ms. WOOLSEY, Mr. KILDEE, Mr. MCHALE, Mr. ETHERIDGE, Mr. BEREUTER, Mr. MCINTYRE, Mr. FAZIO of California, Mr. TOWNS, Mr. BORSKI, Mr. TURNER, Mr. MURTHA, Mr. MASCARA, Mr. PALLONE, and Mr. SISISKY.

H.R. 2276: Mr. KIND of Wisconsin, Mr. KLECZKA, Mr. BROWN of Ohio, Mr. BARRETT of Wisconsin, Mr. FROST, Ms. LOFGREN, and Mr. LUTHER.

H.R. 2292: Mr. BACHUS, Mr. WHITFIELD, Mr. LAHOOD, Mr. HUNTER, Mr. MCINTYRE, Mr. WHITE, Mrs. NORTHUP, Mr. BOB SCHAEFFER, Mr. INGLIS of South Carolina, Mr. COBURN, Mr. LUCAS of Oklahoma, Mr. TAYLOR of Mississippi, Mr. KINGSTON, Mr. SAXTON, Mr. WOLF, Mr. TURNER, Mr. HEFLEY, and Mrs. EMERSON.

H.R. 2302: Mr. MORAN of Virginia, Mr. BLAGOJEVICH, Mr. DOOLEY of California, Mr. BURR of North Carolina, and Mr. PETERSON of Minnesota.

H.R. 2313: Mr. MCHALE.

H.R. 2362: Mrs. TAUSCHER.

H.R. 2377: Mr. EWING and Mr. LUCAS of Oklahoma.

H.R. 2397: Mr. WOLF and Mr. GOODE.

H.R. 2403: Mr. PORTER, Mr. GRAHAM, and Mr. HULSHOF.

H.R. 2404: Mr. EVANS.

H.R. 2438: Mr. HAYWORTH, Mr. CANADY of Florida, Mr. SMITH of Texas, and Mr. MCCRERY.

H.R. 2449: Mr. NETHERCUTT, Mr. GOODE, Mr. GOODLATTE, Mr. HAYWORTH, Mr. WATTS of Oklahoma, Mr. COOKSEY, Mr. BLILEY, and Mr. EHRLICH.

H.R. 2451: Mr. GUTIERREZ, Mr. KENNEDY of Rhode Island, Mr. ACKERMAN, and Ms. PELOSI.

H.R. 2456: Mr. KNOLLENBERG, Mr. KLUG, Mr. TAYLOR of Mississippi, Mr. CALVERT, Mr. PORTER, Mr. EVERETT, Mr. LEACH, Mr. LIPINSKI, Mr. STUPAK, Mr. LUCAS of Oklahoma, Mr. REGULA, Ms. LOFGREN, Mr. PETRI, Mr. MATSUI, Mr. QUINN, Mr. LAZIO of New York, Mr. SHAYS, and Mr. FRANKS of New Jersey.

H.R. 2462: Mr. HOEKSTRA, Ms. GRANGER, Mr. LARGENT, Mr. NEUMANN, Mr. PITTS, and Mr. EHRLICH.

H.R. 2476: Mr. MCGOVERN and Mr. STARK.

H.R. 2480: Mr. MCDERMOTT.

H.R. 2481: Mr. OBERSTAR, Mr. PAXON, Mr. WALSH, Mr. SOLOMON, Ms. DUNN of Washington, Mr. GOODE, Mr. NETHERCUTT, Mr. LEVIN, Ms. DANNER, Ms. FURSE, Mr. GILLMOR, and Mr. SMITH of Michigan.

H.R. 2483: Mr. MCINTOSH, Mr. TALENT, Mrs. CHENOWETH, Mr. PETERSON of Minnesota, Mr. MILLER of Florida, Mr. PETERSON of Pennsylvania, Mr. CAMPBELL, Mr. ENSING, Mr. PAUL, and Mr. MCCRERY.

H.R. 2490: Mr. ADERHOLT, Mr. COX of California, Mr. BALLENGER, Mrs. CUBIN, Mr. DEAL of Georgia, Mr. FOLEY, Mr. LUCAS of Oklahoma, Mr. MCINTOSH, Mr. METCALF, Mrs. MYRICK, Mr. PETERSON of Minnesota, Mr. SALMON, Mr. SANFORD, Mr. BOB SCHAEFFER, Mr. SHADEGG, Mr. STUMP, Mr. TALENT, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WHITFIELD, Mr. HUTCHINSON, Mr. BLUNT, Mr. BURTON of Indiana, Mr. CHRISTENSEN, Ms. GRANGER, Mr. KLUG, Mr. HASTERT, Mr. SMITH of New Jersey, Mr. SPENCE, and Mr. WICKER.

H.R. 2493: Mr. THOMAS and Mr. DOOLITTLE.

H.R. 2495: Mr. ANDREWS, Mrs. MINK of Hawaii, Ms. FURSE, and Mr. COLLINS.

H.R. 2503: Mr. MEEHAN and Mr. OLVER.

H.R. 2509: Mr. GRAHAM, Mr. HOLDEN, and Mr. LATHAM.

H.R. 2515: Mr. PETERSON of Minnesota, Mr. DEAL of Georgia, Mr. PICKERING, Mr. SKEEN, Mr. CHAMBLISS, and Mr. HERGER.

H.R. 2517: Mr. MCGOVERN, Ms. CARSON, and Mr. HOSTETTLER.

H.R. 2519: Mr. MEEHAN and Mr. COOK.

H.R. 2523: Mr. BROWN of California and Mr. ETHERIDGE.

H.R. 2525: Mr. CLAY, Ms. DEGETTE, and Mr. HINCHEY.

H.R. 2527: Mr. KUCINICH, Mr. KILDEE, Mr. BOEHLERT, Mr. DOYLE, Mr. BOYD, Mr. BALDACC, Ms. HOOLEY of Oregon, Mr. TORRES, Mr. TIERNEY, and Mr. MANTON.

H.R. 2535: Mr. WELLER.

H.R. 2551: Mr. HILLEARY, Mr. PETERSON of Minnesota, Mr. QUINN, and Mr. PAXON.

H.R. 2560: Mr. SAWYER, Mr. LAMPSON, Mr. EVANS, Mr. KENNEDY of Rhode Island, Mrs. MORELLA, and Ms. FURSE.

H.R. 2593: Mr. HULSHOF, Mr. SMITH of New Jersey, Mr. EVANS, Mr. ANDREWS, and Mr. KENNEDY of Rhode Island.

H.R. 2597: Mr. FROST and Mr. HINOJOSA.

H.R. 2598: Mr. BLUNT, Mr. BRADY, Mrs. EMERSON, Mr. EWING, Mr. FROST, Mr. GIBBONS, Mr. PICKERING, Mr. RILEY, and Mr. SNOWBARGER.

H.R. 2602: Ms. FURSE.

H.R. 2609: Mr. CUNNINGHAM, Mr. STEARNS, Mr. WELDON of Florida, Mr. FOLEY, Mr. BACIA of Michigan, Mr. HERGER, Mr. WHITFIELD, and Mr. NORWOOD.

H.R. 2610: Mr. SOUDER, Mr. BURTON of Indiana, Mr. BARR of Georgia, Mr. SESSIONS, Mr. MCCOLLUM, Mr. PORTMAN, Mr. CONDIT, and Mr. GOSS.

H.R. 2611: Mr. BOB SCHAFFER and Mr. DOOLITTLE.

H.R. 2624: Mr. LEWIS of Kentucky, Mr. HOSTETTLER, Mr. SCARBOROUGH, and Mr. SKEEN.

H.R. 2631: Mr. HOSTETTLER, Mr. NETHERCUTT, Mr. MURTHA, Mr. BUYER, Mr. HANSEN, Mr. BRYANT, Mr. MOLLOHAN, Mr. SCARBOROUGH, Mr. HILLEARY, Mr. HEFLEY, Mr. RAHALL, Mr. BISHOP, Mr. SHAW, Ms. ROSLEHTINEN, Mr. MCCOLLUM, Mr. WELDON of Florida, Mr. SCOTT, Mr. CANNON, and Mr. THUNE.

H.R. 2635: Mr. PORTER, Mr. BROWN of Ohio, and Mr. BROWN of California.

H. Con. Res. 80: Mr. JOHN.

H. Con. Res. 106: Mr. DAVIS of Illinois and Mr. GEJDENSON.

H. Con. Res. 107: Mr. GOODLING and Mr. DAN SCHAEFER of Colorado.

H. Con. Res. 121: Mr. TALENT, Mr. LAZIO of New York, Mr. SOUDER, Mrs. MORELLA, Mr. LATOURETTE, Mr. RAHALL, Mr. TIAHRT, Mr. WEXLER, Mr. CHAMBLISS, Ms. WOOLSEY, Mr. PORTER, Mr. JONES, Mr. METCALF, Ms. RIVERS, Mr. ROTHMAN, and Mr. FOX of Pennsylvania.

H. Con. Res. 127: Mr. BLILEY, Mr. HAMILTON, Mr. HALL of Texas, and Mrs. LINDA SMITH of Washington.

H. Con. Res. 130: Mr. BEREUTER.

H. Con. Res. 144: Mr. ROTHMAN.

H. Con. Res. 148: Mr. BLAGOJEVICH, Mr. KLINK, Mr. HORN, Mr. TIERNEY, Mrs. KELLY, Mr. McNULTY, and Mr. HOLDEN.

H. Con. Res. 150: Mr. ADAM SMITH of Washington, Mr. PETERSON of Minnesota, and Mr. METCALF.

H. Con. Res. 156: Ms. SLAUGHTER, Mr. MCGOVERN, Mr. MEEHAN, and Ms. FURSE.

H. Con. Res. 158: Mr. BARTON of Texas.

H. Con. Res. 164: Mr. MILLER of California and Mr. FILNER.

H. Con. Res. 165: Mr. WYNN.

H. Con. Res. 166: Mr. PORTER.

H. Con. Res. 168: Mr. DELLUMS, Mr. EVANS, Mr. KUCINICH, Mr. RAHALL, Mr. BROWN of Ohio, Mr. MARTINEZ, Mr. BLAGOJEVICH, Mr. DAVIS of Illinois, Mr. GUTIERREZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KLINK, Ms. MCKINNEY, Ms. ROYBAL-ALLARD, Mr. EHRLICH, and Mr. FROST.

H. Res. 96: Mr. MATSUI.

H. Res. 224: Mr. LATOURETTE, Mr. POSHARD, Mr. GEKAS, and Ms. RIVERS.

H. Res. 235: Mr. PETERSON of Pennsylvania, Mr. DEUTSCH, Mr. CANADY of Florida, and Mr. YOUNG of Florida.

H. Res. 236: Mr. MORAN of Virginia, Mr. NADLER, Mr. McDERMOTT, Mr. BALDACC, Mr. CLEMENT, Mr. KLECZKA, Mr. BARRETT of Wisconsin, Mr. ENGEL, Mr. STRICKLAND, Ms. PELOSI, Mr. ETHERIDGE, Mr. STARK, Mr. YATES, Ms. STABENOW, Mr. ACKERMAN, Mr. TORRES, Ms. RIVERS, Mr. LEWIS of Georgia, Mr. DELAHUNT, Ms. LOFGREN, and Mr. McHALE.

H. Res. 237: Mrs. THURMAN.

H. Res. 245: Mr. HILLIARD, Mr. HEFLEY, Mr. HASTINGS of Florida, Mr. TORRES, Mr. BORSKI, Mr. MORAN of Virginia, Mr. PITTS, Mr. BOEHNER, Mr. HALL of Ohio, Mr. BERMAN, Mr. DREIER, Mr. BEREUTER, and Mr. LATHAM.

H. Res. 246: Mr. BURTON of Indiana, Mr. WATTS of Oklahoma, Mr. FOLEY, Mr. TRAFICANT, Mr. SNOWBARGER, Ms. ROSLEHTINEN, Mr. SAXTON, Mr. HORN, Mr. LOBIONDO, Mrs. KELLY, Mr. MCGOVERN, Mr. MCCOLLUM, Mrs. MORELLA, Mr. ENGEL, Mr. WAXMAN, Mr. SHAYS, Mr. KING of New York, Mr. MENENDEZ, Mr. MEEHAN, and Mr. McNULTY.

H. Res. 259: Mr. TURNER.

#### ¶116.34 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1415: Mr. DICKEY.

H.R. 1984: Mr. PORTER.

H.R. 2332: Mr. SPRATT.

H.R. 2579: Mr. BISHOP.

#### TUESDAY, OCTOBER 21, 1997 (117)

##### ¶117.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 10:30 a.m. by the SPEAKER pro tempore, Ms. GRANGER, who laid before the House the following communication:

WASHINGTON, DC,

October 21, 1997.

I hereby designate the Honorable KAY GRANGER to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

##### ¶117.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 8. Concurrent resolution recognizing the significance of maintaining the health and stability of coral reef ecosystems.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 399. An Act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes;

S. 587. An Act to require the Secretary of the Interior to exchange certain lands located in Hinsdale County, Colorado;

S. 588. An Act to provide for the expansion of the Eagles Nest Wilderness within the Arapaho National Forest and the White

River National Forest, Colorado, to include land known as the Slate Creek Addition;

S. 589. An Act to provide for a boundary adjustment and land conveyance involving the Raggeds Wilderness, White River National Forest, Colorado, to correct the effects of earlier erroneous land surveys;

S. 591. An Act to transfer the Dillon Ranger District in the Arapaho National Forest to the White River National Forest in the State of Colorado;

S. 595. An Act to designate the United States Post Office building located at Bennett Street and Kansas Expressway in Springfield, Missouri, as the "John Griesemer Post Office Building";

S. 916. An Act to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the "Blaine H. Eaton Post Office Building";

S. 973. An Act to designate the United States Post Office building located at 551 Kingstown Road in Wakefield, Rhode Island, as the "David B. Champagne Post Office Building"; and

S. 985. An Act to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the "Larry Doby Post Office".

The message also announced that in accordance with sections 1928a-1928d, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Utah [Mr. BENNETT] as a member of the Senate delegation to the North Atlantic Assembly during the 1st session of the 105th Congress, to be held in Bucharest, Romania, October 9-14, 1997.

##### ¶117.3 "MORNING-HOUR DEBATE"

The SPEAKER pro tempore, Ms. GRANGER, pursuant to the order of the House of Tuesday, January 21, 1997, recognized Members for "morning-hour debate".

##### ¶117.4 RECESS—11:22 A.M.

The SPEAKER pro tempore, Ms. GRANGER, pursuant to clause 12 of rule I, at 11 o'clock and 22 minutes a.m. declared the House in recess until 12 o'clock noon.

##### ¶117.5 AFTER RECESS—12 NOON

The SPEAKER pro tempore, Mrs. EMERSON, called the House to order.

##### ¶117.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. EMERSON, announced she had examined and approved the Journal of the proceedings of Thursday, October 9, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

##### ¶117.7 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

5435. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Procedures to Limit the Volume of Small Florida Red Seedless Grapefruit; Correction [Docket No. FV96-905-2] received October 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5436. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Hazelnuts Grown in Oregon and Washington; Reduced Assess-